

Legislative Council,

Thursday, 5th December, 1940.

	PAGE
Bills: Appropriation, all stages	2566
Medical Act Amendment, 1R., 2R., etc.	2570
City of Perth (Rating Appeals), Assembly's Message	2579
Reserves (Government Domain) Assembly's Message	2581
Medical Act Amendment, Assembly's Message	2591
Street Collections (Regulation), Assembly's amendment	2593
Bills of Sale Act Amendment, Assembly's Mes- sage	2595
Bush Fires Act Amendment, Assembly's Mes- sage	2595
Growers Charge, 2R., Com., etc.	2598
Money Lenders Act Amendment, Com., progress arrested	2608
Employment Brokers Act Amendment, Com., progress arrested	2608
Main Roads Act Amendment, discharged	2608
Bush Fires Act Amendment, Assembly's further Message	2600
Growers Charge, Assembly's Message	2609
Motion: Railway service superannuation	2583
Complimentary remarks	2609
Adjournment—Special	2611

The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

BILL—APPROPRIATION.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson-West) [4.34] in moving the second reading said: This is the usual Bill introduced each year after the passing of the Estimates. Supply has been granted during this session towards the services of the year up to a total of £2,950,000 from the Consolidated Revenue Fund, £450,000 from the General Loan Fund and £300,000 from the Public Account for Advance to Treasurer, and this Bill grants further supplies up to the total of the estimates. Clause 3 appropriates the supplies to the respective services as summarised in Schedules "B" and "C." The total expenditure from the Consolidated Revenue Fund is estimated to be £11,383,849, but of this amount, £4,515,304 is appropriated under special Acts, leaving a balance requiring appropriation of £6,868,545, which is the amount set down in the Bill.

Loan expenditure for the year is estimated at £2,080,958 and authority is sought to appropriate this amount from the General Loan Fund. Clause 3 also provides for £500,000 for advance to Treasurer for the purposes set forth in Schedule "D," and further confirms the expenditure from

"Advance to Treasurer, 1939-40," full details of which are set out in Schedules "E" and "F."

The transactions of the Consolidated Revenue Fund for 1939-40 resulted in a deficit of £146,825, as compared with an estimated shortage of £31,288, Revenue collections being £66,069 less than estimated and expenditure £19,468 in excess of the Estimates. Revenue items showing increases were Taxation £203,354, and Royal Mint, £8,274, while the following decrease were shown:—Departmental, £59,603; Public Utilities, £188,177; and other items £29,917. Under Taxation, Income Tax was £109,617 above the Budget estimate, Financial Emergency Tax, £123,700 and Gold Mining Profits Tax £32,742 above; while other forms of taxation, notably Land Tax, £12,620, Totalisator Duty, £8,331, Stamp Duty £14,903, and Probate Duty £27,072, were altogether £65,083 less than the estimate. Land revenue was £24,743 lower than anticipated owing to the difficulties of the producers during the year, but this was offset to a certain extent by an increase of £13,585 in timber revenue. It is gratifying to note that the position of the timber industry is considerably better than appearances indicated at this time last year. This has been brought about largely by the efforts of the timber companies, supplemented by representations of the Government, as a result of which satisfactory arrangements have been concluded for the shipment of large orders to the United Kingdom. It is also pleasing to note that notwithstanding the war in China, sales of sandalwood to that country have been continued on a scale higher than was to be expected, although it is by no means certain that the trade will be maintained to the same extent.

The reduction of £59,603 in Revenue under "Departmental" was owing to the fact that the Government's proposed legislation to transfer £120,000 to Revenue from motor license fees was not passed. This loss, however, was reduced by increased interest payments from the Agricultural Bank of £54,601, also by larger profits from the Savings Bank, £4,392, and increased repayments of wire netting advances, £8,429.

The result shown by the trading concerns as a whole was satisfactory, although owing to a profit made by the State Sawmills not

being received in time for inclusion, the actual figures were £14,088 less than the Budget estimate.

War conditions accounted for a decline of £188,177 in revenue from public utilities, the concerns most affected being Bunbury Harbour Board £4,500, Fremantle Harbour Trust £15,667 and Railways, £182,471. Members will realise that owing to the difficulties of shipping wheat abroad large quantities of that commodity are still at the country sidings, there being about 300,000 tons more than was the case last year. Had the railways been able to transport the 300,000 tons, the benefit to revenue would have been considerable. As it is, however, the wheat will have to remain where it is for some time.

Expenditure for the year, as I have said, was £49,468 greater than the estimate which, in the present uncertain conditions, may be regarded as satisfactory. There were no very great departures from the Estimates, the main heads showing excesses being Special Acts (other than Constitution Act and Loan Acts) £7,206; exchange £15,989; unemployment relief £3,580; and public utilities £36,083; while there were savings of £1,667 under the Constitution Act, £7,062 under Loan Acts for interest and sinking fund on the public debt, and £4,661 under departmental.

Dealing with the estimates for the current year the budgetary position is as follows:—

	£
Estimated revenue	11,217,152
Estimated expenditure	11,383,849
Estimated deficit	166,697

Revenue collections are expected to be greater than last year's by £97,209, the principal items making up the increase being land tax, £25,120; gold mining profits tax, £29,758; probate duty, £27,072; departmental, £47,790; disabilities grant, £55,000; State trading concerns, £9,641; and public utilities, £10,577, against which the following decreases are expected:—Income tax and financial emergency tax, £53,317; territorial, £11,205; and law courts, £8,966. The increase in land tax is due to the fact that there was some delay last year in the issue of assessments worth over £12,000. The amount will be received this year, and will make a difference of £25,000 as compared with the collections last year. The con-

tinued prosperity of the mining industry is responsible for the probable increase in gold mining profits tax.

Under "Departmental" revenue, Treasury, there have been included two new items, namely, transfer of motor license fees, £75,000 and portion of the profits of the State Insurance Office, £40,000. The first of these items, of course, depended upon enabling legislation being passed by Parliament. In the second case, it is considered that, after taking into revenue an amount equivalent to that which would be paid in taxation if the State Insurance Office was conducted by a private company, and making ample provision for reserves, it is reasonable to take the balance of the profits into revenue. Interest to be paid to the Treasury by the Agricultural Bank for this year has been put down at £200,000, or £74,000 less than last year. This, of course, is in consequence of seasonal conditions by reason of which many of the bank's clients will be quite unable to meet their commitments. There is no marked variation in the estimated receipts of other departments.

The disabilities grant to be received from the Commonwealth this year is £650,000, an increase of £55,000 on the amount we received last year. Estimated profits from the State trading concerns show an increase of £14,593. Some of this was earned last year, but was not received in time to be incorporated in the figures for that year. Against this increase of profits, there will probably be a reduction of £4,952 in the amount recovered by the trading concerns for departmental charges, interest, etc.

The earnings from individual public utilities will be very much the same as last year, the major variation being a reduction of £22,333 in receipts from the Fremantle Harbour Trust, as a result of the curtailment of shipping, and increases of £18,781 from the metropolitan water supply, £7,144 from tramways and £6,285 from electricity supply.

On the expenditure side, there will be increases over last year of £112,441 under Special Acts and £61,313 under governmental, while on public utilities there will be a reduction of £56,673. Most of the expenditure for which special appropriations are in existence is fairly constant from year to year, but there are a few items where variations occur. Interest and

sinking fund on the public debt is unfortunately an evergrowing liability, and the estimate for this year is £66,000 above the actual cost last year, £29,811 being on account of interest and £36,189 on account of sinking fund. The amount to be transferred from revenue to the Reforestation Fund under Section 41 of the Forests Act will be £7,234 less, owing to the reduced revenue expected this year from the timber industry.

Payments under the Superannuation Act of 1938 are estimated at £46,000 for the current year, as against only £763 last year. The reason for such a big increase is that during the first year of operation, the only pensions payable were to dependants of deceased contributors, but from now on all employees who joined the scheme will receive pensions on retirement. A new item under Special Acts this year is the payment of £5,600 under the Police Benefit Fund Abolition Act. This is a continuance of the contribution previously made to the Police Benefit Fund under the authority of a Treasury vote, and is necessary in order to provide to members of the fund benefits to which they are entitled, the fund itself not holding sufficient reserves to permit of an equitable distribution. It has been known for some years that the Police Benefit Fund was in an unsound position due to the gratuities payable under the rules being out of proportion to the contributions, and as the Superannuation Act of 1938 provides that members of the force joining the superannuation scheme may transfer their share in the benefit fund to the superannuation fund, it became necessary for the Government to build up the Police Benefit Fund to a condition where it could provide for its members at least a fair portion of the amount to which they are entitled.

With regard to the estimated increase of £61,313 in governmental expenditure, it is calculated that approximately £30,000 is accounted for by the recent rise in the basic wage, most of the remainder being made up of increases in the Treasury, Child Welfare, Education, and Police Departments. Direct expenditure by the Treasury Department is set down at £772,479, being £17,691 greater than that of last year. This is mainly accounted for by the extra cost of

the Taxation Department, following on the introduction of the new scheme of collecting income tax at the source, the additional payment on this account being £11,302, plus a further payment of £2,500 towards the cost of converting the building now occupied by the Taxation Department.

In the Child Welfare Department, increased payments for maintenance of children and for outdoor relief amount to £10,069, due no doubt to an added number of cases being dealt with, possibly by reason of circumstances arising out of the war. Education expenditure for the year is set down at £783,250, showing an increase of £10,594 over last year, caused by the provision of additional high schools and greater expenditure on technical education. In the Police Department there will probably be increased expenditure amounting to £9,549, due mostly to the rise in the basic wage. The decrease of £56,673 in expenditure on public utilities is mainly due to savings effected in the Railway Department. These savings are the result of the most rigid economy, and by endeavouring, where enlistments have taken place, to carry on with a reduced staff. If members desire any further information on the finances of the State, I shall be happy to supply it, but would like to be advised as soon as possible, so that I may have an opportunity of securing the information.

Clause 4 of the Bill is to approve of expenditure amounting to £65,000 from the Reforestation Fund in accordance with the scheme prepared under Section 41 of the Forests Act, which has been laid on the Table of the House. Clause 5 deals with expenditure in the year 1938-39 on the Royal Mint. Under the Perth Mint Act the annual amount appropriated from Revenue is £25,000, but the expenditure for the year mentioned was actually £26,000, and it is necessary to have parliamentary approval of the excess of £1,000. An estimated excess during the current year is provided for by the inclusion of an item under "Treasury—Miscellaneous Services." I move—

That the Bill be now read a second time.

HON. W. J. MANN (South-West) [4.54]: The Chief Secretary's introduction of the Bill was interesting so far as it could be followed. We were given quite a lot of figures which it was impossible to assim-

ilate at the moment; but I failed to notice any reference to what we might expect would be done towards making provision for that period which we hope will soon come, when we shall return to normality and shall have to find work for many men who, unfortunately, are to-day being taken out of their ordinary vocations. Some months ago the Government, with a considerable flourish of trumpets, announced a crusade for the encouragement and establishment of secondary industries that would put us on a new plane. The Minister for Industrial Development (Mr. Hawke) was hailed as exactly the right man for the job. We have been treated to innumerable Press paragraphs and statements all of which stimulated our hopes that we were at last to move in the direction so long desired, that of creating avenues of employment which would be permanent and would make for the much more rapid advancement of the State. A gentleman long since dead is reported once to have made a remark concerning a mountain that was in labour and brought forth a mouse. I do not know whether the mountain to which I have alluded has yet produced anything, but so far I have not even seen a mouse. One is rather disappointed that after all that we were promised we have not now something that would be at least encouraging.

There is one direction in which I think the present Government, if it desires to go down to posterity as one of outstanding accomplishment and one that leaves a monument of achievement behind it, would have a very fair chance of obtaining that reputation. That direction is towards the establishment of a big iron industry here. Recently I mentioned this matter to a member of the Legislature of this State, and I was immediately confronted with the most doleful prospects. There were difficulties everywhere, he insisted. Well, probably there may be difficulties; probably there are; but nothing that is worthwhile is achieved in this world without difficulty. Difficulties are things to be overcome. It appears to me that even under present conditions, and probably for a generation to come, there will be a tremendous demand for iron and steel; and we in this country are, if we only realised it, in a highly favoured position in that respect. We have iron ore deposits which are the envy of the world—easily mined,

right on the sea board, and not too far away from the point at which the ore can be treated. Now, Russia when starting its first five-year plan was in a hopeless position regarding supplies of iron and steel; and at enormous expense, I understand, large blast furnaces have been established there.

The Chief Secretary: By whom?

Hon. W. J. MANN: By the Government. They were established as a national necessity. However, the costs of providing fuel for those furnaces made the position extremely difficult. After a good deal of research and experimentation—and I am not sure that it was not following a precedent established in England—it was found that charcoal could be used for the purpose desired, and a number of the furnaces were converted from coke to charcoal. We have iron ore in unlimited quantities and we have also great possibilities regarding the making of charcoal. Where Russia can get only 20 or 30 tons of charcoal to the acre, we have places from which we can get hundreds of tons to the acre. A great deal of our timber is looked upon as worthless in the generally accepted term—marri, red gum and other timbers—but when converted to charcoal, those timbers will become extremely valuable.

If the committee which the Minister for Industrial Development brought into existence will turn its attention in that direction I believe it will be possible to do great things, leading to the establishment of industries. The statement was made to me recently that three blast furnaces in Russia using coke had been converted to charcoal and that as a result, the output over and above what had been turned out by them previously was something over 700,000 tons. To my mind that is most encouraging. I have not consulted Mr. Fernie and I do not know what the committee with which he is associated is doing, but I would urge the Government to give every possible attention to this matter. I presume from the interjection of the Chief Secretary a few minutes ago, that he was going to ask me whether I would agree to the State taking over a concern of that description.

The Chief Secretary: I was wondering whether you had been converted.

Hon. W. J. MANN: We may do a lot of things that the Chief Secretary calls "converting." It is a very wide term and I do not know that a Government charged with

the administration of the country would be doing wrong if it offered every possible inducement to people to come here and embark on an industry of this description, or that even if it failed in that direction it might approach the question by rendering assistance in some other way. What is in my mind is that after the war we do not want to be faced with the spectre of permanent unemployment. We have had it too long, and if I am any judge, we are going to have it in an even greater form when the war is over. Unless some industry is established that will in its turn create other industries, then the outlook for employment will not be very encouraging. So I think that the Government should not just sit idly by and wait for someone to come along and do what I suggest, but it should give some encouragement in order to bring people to this country to embark on this industry. I believe there is room for the iron and steel industry on this side of the continent. I have great admiration for what the Broken Hill Pty. is doing, but that concern will not supply the needs of this part of the world in the future. And if the devastation that is taking place on the other side of the world continues for any length of time at the rate at which it is going along, then the reconstruction process that followed the last war will be nothing compared with what will be taking place in the future. I have been looking for some method whereby we might make a move, and this seems to me to be the soundest of all.

Hon. G. W. Miles: You will have to amend the Workers' Compensation Act to give some encouragement to people to come here.

Hon. W. J. MANN: That is one of the matters that might follow in the train of the proposal. Generally speaking, however, I do hope that the Government will take a serious view of this question. I am quite sure that if we could be instrumental in bringing about the establishment of an industry such as this, the Government would go down in the political annals of this State as one of the most far-sighted Western Australia had ever had. We have a good deal of respect for the Government and appreciation for what it is honestly desirous of doing for the State, and we want to retain that opinion. So I offer this suggestion as one that might well receive its favourable consideration.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

Third Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.12]: I move—

That the Bill be now read a third time.

HON. J. J. HOLMES (North) [5.13]: We have on previous occasions held up the Appropriation Bill and made it the last of all the measures to pass in the session. On this occasion there is no intention of doing that. We have no objection to the Bill being read a third time, but I would like the Government to understand that by allowing the measure to pass in this way we are not foregoing our right if we think it should be exercised, to hold up the Bill until the close of the session.

Question put and passed.

Bill read a third time and *passed*.

BILL—MEDICAL ACT AMENDMENT.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

HON. A. THOMSON (South-East) [5.15] in moving the second reading said: This is a short measure which was introduced in another place by Mr. Seward, in an endeavour to overcome a difficulty facing country districts. Hospitals provided at great expense in country areas, with assistance from the Lotteries Commission and the Health Department, are in grave danger of being closed owing to the impossibility of obtaining the services of medical practitioners. In my own province there are no fewer than three hospitals without medical officers. Although £600 a year has been guaranteed by various hospital committees, doctors cannot be induced to go to the

country. The Bill provides that if the Medical Board is satisfied that a person is of good fame and character and has been resident for some time in Australia, he may, even though he is an alien, be entitled to registration as a medical practitioner. Further, where the Governor is satisfied that the residents of any area are not adequately provided for in respect of medical or surgical services, he may proclaim such area to be a region in respect of which a regional registration certificate may be granted to an approved person.

The measure is based on a New South Wales Act providing medical aid in the same way for country districts. No medical practitioner will be appointed to such an area unless he is approved by the Medical Board, and his activities will be confined to the regional area prescribed in the Governor's proclamation. Owing partly to war conditions, many medical men have enlisted for service both in camps within the State and overseas, and it is extremely difficult to obtain duly qualified men. In the Tambellup district, applications were called for a medical officer and the only applicant was a refugee who had fled from Vienna. Though he had the highest credentials, his application could not be considered because there is no reciprocal arrangement between his country and any portion of the British Empire. There are refugees from Nazi-governed countries who are resident in Australia and have high qualifications, but whose services cannot be used owing to the conditions that apply in this country. The Bill is purely a Committee measure.

Hon. J. J. Holmes: What would happen to our own doctors who on their return from the war found that their positions had been filled by refugees.

Hon. A. THOMSON: That is provided for.

Hon. L. Craig: The same thing applies to members of other professions—dentists, architects, etc.

Hon. A. THOMSON: The Governor is given the right not only to declare an area to be a region within the meaning of the Act, but also to alter any area or revoke such proclamation. If a proclamation were revoked, the doctor working in the regional district concerned would cease to do so. Ample provision is made for the protection of our medical men on their return from the

war. I can assure the hon. member that opportunities are available to our medical men to go into country districts to-day, but it is absolutely impossible to secure their services. That position obtained before the war. However, if the hon. member consults the Bill, he will find that there is provision to protect the interests of Australian doctors. Above all, no man will be allowed to practise unless he has demonstrated to the satisfaction of the board and the Minister that he has the proper qualifications.

The Chief Secretary: Is this approved by the British Medical Association?

Hon. A. THOMSON: I understand it is approved by the Minister for Health in another place. He gave it his blessing and secured one or two amendments because he considered country hospitals were in such a serious position that help was urgently needed.

Hon. H. S. W. Parker: The B.M.A. has approved.

Hon. A. THOMSON: I hope the House will support the measure. I move—

That the Bill be now read a second time.

HON. H. TUCKEY (South-West) [5.22]: The Bill is designed to provide better medical facilities in certain country districts, and that is most necessary. In agreeing to admit refugee doctors to practise, we should consider two points. First of all, the interests of our own doctors who are on active service should be protected so that when they return they may take up their old practices; secondly, consideration should be given to the fact that 226 students are now taking their final examinations in Melbourne and Sydney.

The Honorary Minister: They will not come here, though.

Hon. H. TUCKEY: There are other students in Adelaide and Brisbane, but I have not the figures. To estimate the future duration and extent of the shortage of medical practitioners is difficult, but the lack of medical men in many country centres was evident before the war began and has not been occasioned by war conditions. Obviously those districts have failed to attract our own doctors, because the benefits derived are not commensurate with the sacrifices involved. It has been suggested that the guarantee to country doctors should be increased to £750, and that would be a step

in the right direction. The amount guaranteed to-day is £600 but it is not enough. The whole difficulty is that there is not sufficient inducement for doctors to serve in many of our country areas. The £600 is not an ordinary subsidy but merely a guarantee, and it does not follow that the Government would have to provide the full amount. The shortage of medical practitioners in country districts is acute, and unless doctors can be induced to practise there, it will be necessary for arrangements to be made to transport sick people to centres where there are medical practitioners. The statement has been made that doctors will not come from the Eastern States, but if sufficient inducement is offered, they will do so. If we desire to develop this country we must ensure that there are suitable medical facilities all over the State. People do not want to have to come to Perth every time they are sick, and the Government should assist as far as possible to provide medical services.

I understand the Bill is acceptable to the British Medical Association and the Medical Board is favourably disposed towards it. At any rate, they wrote a letter to the Minister for Health on the matter which was read in another place, and the whole of which I think appeared in "Hansard."

The Bill appears to be largely on the lines suggested by the B.M.A. and I have yet to learn that there is any great objection to it from anybody. When such a measure is brought before us on the last day of a session, we have not much opportunity to do justice to it, and the matter is far too important to treat lightly. I have not had an opportunity of reading the amended Bill. Consequently, to give that attention to it that it deserves is difficult. Of course this sort of thing occurs every year. If we desire to pass the Bill through all stages at this sitting, we shall not have an opportunity to go thoroughly into every detail. However, I intend to support the second reading and if, at the Committee stage, anything can be done to improve the measure, I will assist in that direction to the best of my ability.

HON. J. CORNELL (South) [5.27]: This is a subject of which we cannot take a superficial view. We need to analyse the reasons for the introduction of the measure.

The Medical Act has been in existence since 1894 and any person who practises surgery or medicine in this State has to conform to the conditions laid down in that Act. Through the years I do not think we have had much to complain about. Any person coming to the State and complying with the provisions of the Medical Act has been allowed to practise here. Now it is said that owing to the fact that medical men will not go into agricultural districts and to the shortage of medical practitioners due to war conditions, we must depart from the provisions of the Act. Whom are we going to admit? We are told that there are sufficient refugee doctors in the State to meet requirements. Evidently the Bill provides that the refugee doctors shall be subject to an examination different from that which has prevailed since 1894. We should approach this subject warily. What is meant by "any person," and of what nationality is it expected the refugee doctors would be?

The Honorary Minister: Well, what about it?

Hon. J. CORNELL: Will they be British subjects?

The Honorary Minister: If they were it would not be necessary to go through all this.

Hon. J. CORNELL: We should think long, even in the exigencies of the circumstances, before we open the door to permit non-British subjects to practice medicine in the State under conditions that differ in the case of Britishers.

Hon. H. S. W. Parker: Non-British subjects are already practising here.

Hon. J. CORNELL: Under what conditions?

Hon. H. S. W. Parker: Under normal conditions that would apply to any medical man.

Hon. J. CORNELL: But no special circumstances have been set up for them.

The Honorary Minister: They would have to be qualified before they could practise.

Hon. A. Thomson: Look at Clause 3.

Hon. J. CORNELL: I am dealing with the principle. I have a hazy idea that most of the refugees could buy and sell us Britishers.

The Honorary Minister: In respect to their possessions?

Hon. J. CORNELL: In the matter of snide dealing. That applies to many of them. They certainly get about. They have been reared in a different environment and brought up under different conditions compared with our own doctors. They could buy and sell quite a lot of our men. There is a move amongst certain sections of the community to pool their resources, and to push their own kith and kin, their own ilk. What I fear is that if we let in these people, and the war goes on for a long time, our own medical men who have gone overseas in the Empire's cause will return only to find that non-Britishers have dug themselves in.

Hon. H. S. W. Parker: How many of them are there, after all?

Hon. J. CORNELL: It would not matter if there were only two. This is a time for plain dealing and for standing up for our own people. Surely we are not going to provide machinery by which our own men will be disadvantaged by others who do not belong to our race or country. The complacency of the Britisher in regard to other sections of people in the world, who have nothing in common with us, has too long been one of our characteristics.

Hon. H. Tuckey: Do not you think there are any safeguards in the Bill?

Hon. J. CORNELL: The safeguard we must give to those doctors who have gone away on active service is to see that this measure operates only for the duration of the war, and no longer. At the end of the war all these circumstances should be reviewed.

Hon. H. S. W. Parker: The law can be reviewed at any time.

Hon. J. CORNELL: Profiteering legislation is brought down for the duration of the war and six months after, and, if we are going to legislate specially for non-Britishers, we should do so on a similar basis.

Hon. C. B. Williams: Why not send the foreigners to the war and retain our own men?

Hon. J. CORNELL: I would not have allowed them in at all.

Hon. H. S. W. Parker: They are already in.

Hon. J. CORNELL: Too many of them have been allowed in.

Hon. H. S. W. Parker: Only two of them.

Hon. J. J. Holmes: Are two men going to save the situation?

Hon. J. CORNELL: According to Mr. Parker, this legislation has been brought down for the sake of two people. He said that only two persons were involved. One question transcends the shortage of doctors, and that is the principle to which I have referred. The only condition on which I will support this Bill is that it is made a war measure.

Hon. C. F. Baxter: To operate for six months after the war?

Hon. J. CORNELL: I do not feel inclined to throw open the door at all to non-Britishers.

Hon. C. B. Williams: Hear, hear!

Hon. J. CORNELL: I have seen enough of them. Those whom we are fighting to-day would not do this sort of thing. We are legislating to accommodate men who have come from enemy countries. We owe an obligation to our own medical men who have volunteered for war service, and made a great monetary sacrifice by so doing.

Hon. E. M. Heenan: Charity begins at home.

Hon. J. CORNELL: Once the non-Britishers drive in the wedge, they will be hard to get rid of.

Hon. H. Tuckey: Their representatives here, the medical men, are prepared to admit a limited number of non-Britishers.

Hon. J. CORNELL: To whom does the hon. member refer?

Hon. H. Tuckey: To the doctors who already belong to the State.

Hon. C. B. Williams: Doctors repeatedly say, "Why do you not go to your own kind?"

Hon. J. CORNELL: The House should deal warily with the situation. For the sake of an immediate advantage, we should not grab with both hands something that will probably work to our disadvantage. I will reserve my decision until I ascertain that this Bill will definitely be made a war measure. It must be reconsidered by Parliament at the end of the war. It is all very well for Mr. Parker to say it can be reviewed at any time. He changes his opinion as often as he changes his coat.

The Honorary Minister: It can only operate for 12 months.

Hon. J. CORNELL: I have been long enough in Parliament to know that the only certain way to ensure a review of legislation by Parliament is to put a string on it, and make it a temporary measure. Those who are responsible for its administration can then ask Parliament to re-enact it. When the time comes the whole situation can be reviewed, and Parliament can decide whether this legislation should remain on the statute-book. I hope a string will be attached to the Bill, although I do not feel inclined to support it in any event.

HON. J. NICHOLSON (Metropolitan) [5.42]: I regret the occasion for the introduction of this Bill. We all realise the serious condition that prevails in certain country districts, as well as in hospitals there, owing to the scarcity of medical men.

Hon. C. B. Williams: Is there any shortage of solicitors in the country?

Hon. J. NICHOLSON: Perhaps the hon. member—

The PRESIDENT: I ask the hon. member to confine himself to a discussion upon the Bill, and not to be drawn away by interjections.

Hon. J. NICHOLSON: I should like to have explained for the benefit of the hon. member—

The PRESIDENT: The explanation would probably have no bearing upon the Bill.

Hon. J. NICHOLSON: He was referring to the scarcity of legal men.

The PRESIDENT: I would prefer the hon. member to confine his attention to the Bill.

Hon. J. NICHOLSON: A difficult position has arisen in the country districts. But for that, in all probability this Bill would not have been brought down. The exigencies of the circumstances and the crisis through which we are passing have led to the introduction of the measure.

Hon. E. M. Heenan: What occurred during the last war?

Hon. J. NICHOLSON: The same difficulty did not then arise. We were able to cope with the situation then. The strain upon people in the country districts is greater on this occasion and more marked than it was during the last war. Because we are practically at the end of the session, no opportunity has been afforded to mem-

bers to consider this important Bill as deeply as would have been the case had it come down earlier. It has come before us at practically the eleventh hour. Notwithstanding that, we should do our best to deal with the situation. Whilst the Medical Board appointed under the principal Act will have certain authority under this measure, it appears to me that it would be wise to give special consideration to Paragraph (a) of Subclause (2) of Clause 3. That provision in the Bill reads—

(2) Where any area is declared by a proclamation under this section to be a region the board shall, subject to this section, issue a certificate of regional registration in the prescribed form in respect of that region to a person who proves to the satisfaction of the board that he—

(a) has passed through a regular graded course of medical study of five or more years duration in a school of medicine in some part of the British Empire or some other country—

Then various other requirements are set out. I draw particular attention to the words "or some other country." That phrase leaves the position very open. Those members who have travelled in certain parts of Europe must be conscious of the fact that in some of the countries, the qualifications required of medical men are not of the high standard essential in British countries or in accordance with the requirements of the British Medical Association.

The Honorary Minister: That would not apply to Austria.

Hon. J. NICHOLSON: I am not favourably inclined to the suggestion that such open power shall be vested in the board, for these doctors should not be employed in the country districts unless the board is absolutely satisfied that the doctor possesses qualifications that would warrant his registration.

The Chief Secretary: Why did you not quote the remainder of the clause you have mentioned, because that point is dealt with?

Hon. J. NICHOLSON: I thought I had made the point clear regarding some European qualifications not being of the high standard required by British universities and by the B.M.A. I know that there are some centres in Europe to which many doctors go for study and to secure degrees, but in other parts the standard is not so high.

The Honorary Minister: That point can be dealt with under the Bill, which makes the necessary provision.

Hon. J. NICHOLSON: I do not think the position is sufficiently safeguarded. An important point was raised regarding the duration of the legislation which has not been introduced under ordinary conditions but under stress of war conditions.

Hon. L. CRAIG: Not alone; not by any means!

Hon. J. NICHOLSON: That being so, we must appreciate the demand that has arisen for the services of medical men in many of our country districts owing to so many doctors having enlisted for active service.

Hon. A. Thomson: That applies to some of the doctors, but others have taken up city practices.

Hon. J. NICHOLSON: There is a great dearth of medical men at present, and we should ensure that those who have given their services to the country in connection with the war, shall not suffer through their positions being filled by doctors who will be registered under this legislation.

The Honorary Minister: But they can continue for only 12 months under the provisions of the Bill.

Hon. J. NICHOLSON: The position would be best safeguarded if the operations of the Bill were to be confined to the duration of the war.

Hon. A. Thomson: I am willing to agree to that.

Hon. J. NICHOLSON: I am glad to have that assurance because it will enable me, subject to what I have said about Clause 3, to support the second reading of the Bill.

HON. G. B. WOOD (East) [5.51]: I support the second reading of the Bill, which is in the interests of the country people. Had there not been an acute shortage of doctors in the country districts, the Bill would not have been introduced. Everyone must admit the desirability of admitting certain doctors, foreign or otherwise, in order to cope with present day requirements. I trust the Bill will be considered promptly in Committee so that we may clear up some of the points to which reference has been made. It is a war-time measure, and I do not think its duration for the period of the war and six months afterwards will be quite long enough, particularly when we remember the length of time it took to repatriate our men after the 1914-18 war.

Hon. J. Cornell: We could re-enact the measure.

Hon. G. B. WOOD: Many of these foreign or refugee doctors are specialists, not altogether suited to the work of a general practitioner in the country areas. Perhaps some course could be provided to enable them to fit themselves for the task.

Hon. L. CRAIG: The Bill contains a provision for that purpose.

Hon. G. B. WOOD: I am glad of that, and have pleasure in supporting the Bill.

HON. L. CRAIG (South-West) [5.53]: I am surprised at the tone of the debate. One would think the Bill was introduced in the interests of the doctors. Nothing of the sort. There is an acute shortage of doctors throughout the country centres.

The Honorary Minister: And in the city as well.

Hon. A. Thomson: The Bill applies only to the country.

Hon. L. CRAIG: Yes; the Honorary Minister has not read the Bill! The Bill is not a war measure. The acute shortage of medical men in the country areas is partly due to the war, but the main explanation is to be found in depressed prices for rural products and poverty in the country areas. Doctors are not willing to stay in the country.

Hon. J. Cornell: Do you mean to tell me that these people will be prepared to put up with those conditions for very long? Not on your life!

Member: They are willing.

Hon. L. CRAIG: Doctors have left the rural areas because they could not earn a sufficient income and were not prepared to accept the subsidy of £600 granted by the Government. They could do better elsewhere. If there are doctors who are fully trained and are approved by the medical board—that point seems to have been overlooked by some members, namely, that these doctors in question have to be approved by the medical board—as being men of repute and capacity, why should we not make use of their services? Why should we leave the country districts without the services of medical men merely because of a prejudice against foreigners? We would be wanting in our duty to our own people if we did not take advantage of the opportunity to provide that necessary attention. The argument has been advanced that a guarantee of £600 is insufficient and that it should be

raised to £1,000 a year. Why a close corporation such as the medical association should be granted a guarantee, I cannot understand. We do not guarantee the incomes of architects or dentists.

The Honorary Minister: Or jumpers.

Hon. G. Fraser: Or solicitors.

Hon. G. B. Wood: Or farmers.

Hon. L. CRAIG: I fail to appreciate why it should be necessary to provide such a large guarantee. We know that the farmers are hard up, and that applies to other people as well. When they know that the doctor is guaranteed £1,000 a year, they will consider that the position amounts to the provision of a free social service, and the impression will be created among the country people that they will not be expected to pay for medical services.

Hon. A. Thomson: And they will think that the doctor should go to them, and not they to the doctor.

Hon. L. CRAIG: I hope the House will deal with the Bill seriously. I do not think doctors should be treated differently from those associated with other professions. In those instances where a medical man has left a country district in order to go on active service, we should see that when he returns from the war he will be able to go back to his district.

Hon. J. M. Macfarlane: If he desires to do so.

Hon. L. CRAIG: I do not see anything wrong with the Bill, which I regard as necessary. I hope it will be agreed to and that the interests of the country people will be protected. Why should this monopolistic trade-union, which after all is what the medical profession amounts to, be accorded better treatment than that extended to other sections of the community? The public is entitled to fair treatment. I support the second reading of the Bill.

HON. SIR HAL COLEBATCH (Metropolitan) [5.56]: I understand that the sponsor of the Bill is willing to add a provision to the effect that the Act shall continue during the period of the war and for six months afterwards. If that is done, this will not be a question of legislating in the interests of foreigners but in the interests of the women and children in the country districts. The Bill, as it stands, places supreme power in the hands of a board which need not grant

a permit to any applicant it does not consider fit to be entrusted with the duties associated with a medical practice in the country areas. Not only in Australia but in almost every other country there is a surplus of doctors in the cities and a great deficiency of doctors in country districts. That is one of the difficulties that will have to be taken into consideration when the war is over. There is no doubt that lack of medical attention in the country districts is one of the factors that make it hard to live in the rural areas and one of the elements that force all the ills of centralisation upon us. I shall certainly support the second reading of the Bill. I do not intend to enter upon a debate on the issue raised by Mr. Cornell, but I should like to place on record the fact that I do not share the antipathy to foreigners that he has so vehemently expressed nor am I prepared to accept the suggestion that such an antipathy to foreigners is in accord with the best traditions and high characteristics of the British people.

HON. E. M. HEENAN (North-East) [5.58]: After listening to the debate, I feel I can support the Bill because of the safeguards to which attention has already been drawn and which I think should prove adequate to meet the situation. I desire to deal with the aspect mentioned by Sir Hal Colebatch regarding people living in the outback areas who have not enjoyed adequate medical provisions in the past. In Australia people often wonder why the population congregates in the cities. Members representing country constituencies know various reasons indicating why it is so. Some of the principal reasons are school facilities, hospital facilities and medical attention. The health of our people residing in outlying country and mining centres is just as important as is the health of people living in the city; but too often we find that certain doctors in outlying centres have outlived their usefulness. They are not up-to-date in their profession; yet they are inflicted on country people. We will all agree that that has been so in times past. We ourselves are to blame, because, in spite of what Mr. Craig says, the medical profession is vastly different from other professions. It should not be regarded as a means of making money.

Hon. L. Craig: But it is.

Hon. E. M. HEENAN: In my opinion, the medical profession should be socialised. Before qualifying as a doctor, a person must pass through a long period of expensive training. Judging by the financial standards of the day, I should say that a doctor who is sent to practise in places such as Laverton, Leonora or Esperance should receive at least £1,000 a year. As long as doctors are offered a guarantee of only £600 per year, we shall be unable to get the more highly qualified members of the profession to go to country districts. Nor can the best class of people be induced to settle in these outlying districts. The moment they make a rise, instead of remaining in the district and helping to build it up, they come to the city where their children can attend decent schools and obtain better hospital and medical attention. I would like to have been assured that the Bill has the approval of the B.M.A., because the subject is one upon which we are scarcely competent to express an opinion. Mr. Nicholson has pointed out that in various European countries the standard set is not as high as that which prevails in the British Empire, nor have the foreign doctors the high ethics that are inculcated in our Universities. That aspect must be regarded with care, because, when all is said and done, the medical profession is vital to the welfare of the community. We should be extremely careful not to do anything to lower the high standard it has always maintained in Australia.

HON. W. J. MANN (South-West) [6.4]: Regarding the safeguards with respect to the qualifications of the medical men it is proposed to appoint to regional districts, I have no quarrel. Those safeguards are sufficient to ensure that a man so appointed will be competent. I am, however, a little sceptical about the Bill. It is to be of a temporary nature and I am glad that Mr. Thomson has intimated he is agreeable that the Bill shall have force for the duration of the war and a short period thereafter. But the Bill, as I read it, definitely indicates that it is intended these men may become permanent. Clause 2 provides—

Any person who satisfies the board that he is a person of good fame and character and who has held a certificate of regional registra-

tion . . . for a period or periods aggregating seven years . . . shall be entitled to be registered as a medical practitioner.

Apparently, this regional registration is merely a preliminary stage to general recognition, because the Bill provides that a man shall be entitled to registration.

Hon. A. Thomson: Only in the country.

Hon. W. J. MANN: I wish to refer to something which sometimes troubles me. It has a distinct bearing on the question of employment. I am beginning to wonder what will be the position of the next generation in, say, another 25 years regarding the foreigners in our State. One has only to walk down the main street of Perth to-day to see not one but dozens of establishments manned by foreigners. They employ no Britishers, and in a few years—unless our people wake up to the position and take a stronger stand—our grandchildren will be the hewers of wood and drawers of water for these foreigners.

Hon. C. B. Williams: That is obvious.

Hon. W. J. MANN: The same thing is occurring in country districts. Foreigners are being gradually and insidiously introduced there. In the wonderful district of which I am a representative, the South-West, aliens are coming in and forming little groups. The foreigner is well entrenched in the potato industry. He has been in the timber industry for many years; he is becoming an employer and employs only his own folk. I admit that this has no direct bearing on the Bill, but I mention it so that extreme care may be exercised in the appointment of these refugee doctors. I do not know how Clause 2 will square up with the proposal that the Bill shall have force only for the duration of the war and six months—or whatever the extra period may be—thereafter. I am quite in agreement with the necessity for obtaining medical attention in our country districts.

Hon. C. B. Williams: How far are those districts from the biggest hospital in the State?

Hon. W. J. MANN: Some are a considerable distance. I was in a town in the South-West district this week and noted that the hospital was closed because a doctor could not be found for the district. I support the Bill on the understanding that it will be for the duration of the war.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [6.10]: In supporting the Bill, I can testify to the serious shortage of doctors in country districts. There is also a shortage of doctors for the working classes in the metropolitan area.

Hon. C. B. Williams: That is the Government's fault. It has not done its duty.

The **HONORARY MINISTER**: That shortage is caused by the war, as so many of our doctors are joining the military forces. One speaker asked whether the position in that respect was different from what it was during the last war. In my opinion, many more doctors are joining the army on this occasion. Members who saw the militia marching to-day must have noticed the tremendous improvement caused by the training and feeding of the men and in the medical attention provided for them. I consider the militia to-day was the finest body of men that has ever marched through Perth.

Members: Hear, hear!

Hon. T. Moore: Hold on!

The **HONORARY MINISTER**: I am talking about the bearing of the men, their drill and marching.

Hon. T. Moore: Did you see the troops years ago?

The **PRESIDENT**: Order! I ask the Honorary Minister to confine his remarks to the Bill.

The **HONORARY MINISTER**: Far more attention is paid to the health of the troops and they pass a much stricter medical examination. Consequently more doctors are required in the defence forces. There are not sufficient doctors at the Perth and Fremantle hospitals to give the patients reasonable medical attention.

Hon. L. Craig: But we are dealing now with the country districts.

The **HONORARY MINISTER**: That is so. Reference is made in the Bill to junior resident medical officers in hospitals. The time is rapidly approaching when the services of the refugee doctors will be required in the metropolitan hospitals. I agree with what Sir Hal Colebatch and Mr. Craig said about the Bill not being designed to provide jobs for doctors. It is introduced to meet an urgent need for medical attention in country districts.

Hon. A. Thomson: That is the object of the Bill.

The **HONORARY MINISTER**: From my knowledge of the medical profession—I know the feelings of our doctors towards alien doctors—we can rest assured that the Medical Board will take every precaution to ensure that only properly qualified refugee doctors will be allowed to practise. Do not forget this, there are refugee doctors to-day in Australia from Vienna to whom our doctors have paid as much as fifty guineas for a lecture.

Question put and passed.

Bill read a second time.

In Committee.

Hon J. Cornell in the Chair; Hon. A. Thomson in charge of the Bill.

Clause 1—agreed to.

Sitting suspended from 6.15 to 7.30 p.m.

Clause 2—agreed to.

Clause 3—Registration for the practice of medicine and surgery in certain areas:

Hon. J. NICHOLSON: To strengthen the powers of the board, I move an amendment—

That after the word "country" in paragraph (a) of the proposed new Subsection (2), the words "where the qualifications required for medical practitioners of such country are such as may be approved by the board" be inserted.

I realise that there is a proviso empowering the board to refuse to grant any application where, in its opinion, none of the applicants is suitable to be the holder of a certificate.

The **CHIEF SECRETARY**: I cannot understand the hon. member's action in moving the amendment.

Hon. H. S. W. Parker: The words are quite unnecessary.

The **CHIEF SECRETARY**: Since we have agreed to the principle of the Bill, I cannot conceive of any more stringent conditions than those imposed by paragraphs (a), (b), and (c).

Amendment put and negatived.

Clause put and passed.

Clauses 4, 5—agreed to.

New clause—Duration:

Hon. J. NICHOLSON: I move—

That the following new clause be inserted:—
 “This Act shall continue in force during the continuance of the war in which His Majesty is at the commencement of this Act engaged and for a period of six months thereafter and no longer.”

There would be nothing to hinder Parliament in continuing the legislation if it was required after the termination of the war.

The CHIEF SECRETARY: I question whether the new clause is necessary, particularly in view of the provisions of Clause 3. The Minister may cancel a certificate of regional registration, and a certificate shall have effect for only one year. Every year the medical man would have to make application for a regional certificate, and if in the opinion of the board, a certificate should not be granted on account of the return of medical men from the war, it will not be granted. There has been a great shortage of medical men in the country, and that shortage has not been created by the war but has existed for a long time.

The CHAIRMAN: A duration provision was inserted in the Industries Assistance Act, which was introduced as a temporary measure, and that legislation has been continued from year to year for a quarter of a century.

Hon. J. J. HOLMES: If we insert the new clause, we shall do no harm. If we do not insert it, the measure will become a permanent piece of legislation and to repeal it will require the approval of both Houses of Parliament. To get such approval might be a difficult matter. I support the new clause.

Hon. L. CRAIG: I see no good in the new clause, and fear that it might do harm. Would it be fair to the man who is to be registered? He has to satisfy the board and pass tests and serve what amounts to an apprenticeship, and as soon as the war is over, out he will go. As matters stand, the Bill would cease to exist. It contains all safeguards reasonably to be expected. The man's position is to be reviewed every year. We must be fair to these people. They are to do a job we badly want done. This is not a Bill for the benefit of foreign doctors, and we must not make the conditions too stringent. I oppose the new clause.

Hon. Sir HAL COLEBATCH: I do not agree with the previous speaker at all. The new clause merely means that six months

after the war the present position will be reverted to, and that it will then be for Parliament to decide what shall be done. Unless a Bill of this kind is enacted, the foreign practitioner will not be permitted to practise at all. It is not to be expected that six months after the war all these men will be pushed out. We have to consider how to provide doctors for our country districts.

Hon. G. FRASER: Unless we agree to the new clause, the Minister might have to cancel all permits under the Bill. That position would be obviated by the adoption of the clause.

Hon. A. THOMSON: On the second reading I said that I would accept this provision, on the principle that half a loaf is better than no bread. However, Mr. Craig's attitude is the correct one.

New clause put and passed.

Bill reported with an amendment, and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with an amendment.

BILL—CITY OF PERTH (RATING APPEALS).

Assembly's Message.

Message from the Assembly notifying that it disagreed to two amendments made by the Council, and giving reasons, now considered.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

No. 3. Clause 5:—Add at the end of Subclause (3) the words “and shall be recommended by the Barristers Board.”

The CHAIRMAN: The Assembly's reasons for disagreeing to the Council's amendments No. 3 and 4 are—

The amendments would prevent the appointment of a member to the board unless recommended by certain specified organisations who are in no way responsible to the public of this State.

The appointment of persons to act in a judicial capacity is a function, and the consequent responsibility, of the Government.

The CHIEF SECRETARY: For the reasons given by the Assembly, I move—

That the amendment be not insisted on.

Hon. C. F. BAXTER: I hope the Committee will insist on the amendment. No one has better knowledge of the position than those whom the Bill calls upon to make recommendations to the Government. Three or four names might be recommended for selection. The personality of those men might be such as to enable them to consider rating appeals judicially. In what way is the appointment a responsibility of the Government? Why should the Minister have power to make any appointment he pleases so long as the appointee is a member of a particular association? The municipality has something to lose by reduction of a valuation below what it should be, and thus is more closely concerned in the matter than is the Government. We are drifting more and more into a position where Ministers control everything. How is the Minister to know what is the best choice to make from the Institute of Valuers or the Barristers Board, as against the knowledge possessed by the members of those boards?

Hon. H. S. W. Parker: You would get the president of each board.

Hon. C. F. BAXTER: I do not know that the presidents of these boards would accept such positions. As regards the Barristers Board, we have already agreed that a recommendation must come from that board of a legal man of not less than 10 years' standing. Ours was a reasonable proposition and there is no reason why we should give way. We should stand firmly, and I urge the Committee to insist upon the amendment.

Hon. H. S. W. PARKER: The Minister should take the responsibility in making an appointment. We should not relieve him of that responsibility, and if I were a Minister I would object to being told by some outside organisation what to do.

Hon. J. J. HOLMES: We had a long discussion on this clause, and I thought we had arrived at an equitable compromise. We considered that to leave in the word "nominate" would be perhaps to usurp the functions of the Minister, while "recommend" would help the Minister to make the correct choice. The Government should be glad of the opportunity of having recommendations from authorities best qualified to make them. Then if the recommendation did not happen to be suitable it would be possible to request that another be made.

The CHIEF SECRETARY: The reason for the Bill was that the City Council was very dissatisfied with the provisions of the Municipal Corporations Act as they exist at the present time, particularly in regard to the question of rating appeals, and the City Council asked the Government to bring down this Bill to provide a better method. The Government did so with the full concurrence of the municipal bodies. This Chamber desired in the first place to take the selection out of the hands of the Minister or the Government by inserting in the Bill that two members should be nominated by the respective organisations. Later, in the words of Mr. Holmes, thinking that that was going too far, the Chamber decided to substitute "recommend" for "nominate." My advice is that there is no difference between the two words. What would happen if the time came for the appointment of members to those boards? Naturally the Minister would satisfy himself that the person to be nominated had the requisite qualifications. I have no doubt that if the Minister was not satisfied with the qualifications of those men he would refer the nominations back to the respective organisations. So that whether the words go in or not I imagine that both organisations will be communicated with. Even if that were not so would it not be the responsibility of the Minister to make the appointment, and has he not to carry the responsibility? Does not the same thing apply with regard to every judicial position? Take the appointment of a judge. Does anyone suggest that we should go to the Law Society or the Barristers' Board or any other legal authority with regard to such an appointment? That has never been suggested. It is the responsibility of the Government.

Hon. J. J. Holmes: I understood the Government accepted the advice of the Chief Justice.

The CHIEF SECRETARY: There is nothing to say that the Government "shall." I am inclined to think that the same procedure will be adopted here, and using the argument of Mr. Baxter the Government has just as much interest in this matter as has the City Council. If there is any complaint with regard to what has been done in the past regarding rating appeals, the

Government has far more cause for complaint than the City Council. I hope the Committee will not insist on the amendment. The reasons given by the Assembly are sound, and I think members can trust the Minister in charge to do the right thing.

Question put and a division taken with the following results:—

Ayes	..	..	..	14
Noes	..	..	..	7
—				
Majority for	..	..	..	7
—				

AYES.

Hon. L. Craig	Hon. W. J. Mann
Hon. J. M. Drew	Hon. G. W. Miles
Hon. G. Fraser	Hon. T. Moore
Hon. E. H. Gray	Hon. H. S. W. Parker
Hon. E. M. Heenan	Hon. A. Thomson
Hon. W. H. Kitson	Hon. C. B. Williams
Hon. J. M. Macfarlane	Hon. W. R. Hall

(Teller.)

NOES.

Hon. C. F. Baxter	Hon. H. L. Roche
Hon. Sir Hal Colebatch	Hon. G. B. Wood
Hon. J. J. Holmes	Hon. V. Hamersley
Hon. J. Nicholson	

(Teller.)

Question thus passed: the Council's amendment not insisted on.

No. 4, Clause 5, subclause (4)—Insert the words "and recommended by that institute" after the word "practice" in line 20.

The CHAIRMAN: The Assembly's reason for disagreeing with this amendment is similar to the reason applying to the previous amendment.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and passed; the Council's amendment not insisted on.

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—RESERVES (GOVERNMENT DOMAIN).

Assembly's Message.

Message from the Assembly notifying that it had disagreed to the amendments made by the Council now considered.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

No. 1. Clause 2—Delete all words after the word "Act" in line 10, down to and including the word "Schedule" in line 12.

The CHAIRMAN: The Assembly's reasons for disagreeing to amendments Nos. 1, 2 and 3 are—

The reservation of the road should result in any buildings erected on the Christian Brothers' block having a suitable western facade which would be one of the frontages of the building.

A means of ingress would have to be provided in any case and a proclaimed road as distinct from a path or roadway would confer jurisdiction on the City Council and the Town Planning Board to determine the suitability of buildings fronting the proposed road.

The CHIEF SECRETARY: The reasons submitted by the Assembly are the reasons I gave when I objected to the Council's amendments. I have no further argument to add except to say that it is unreasonable for the House to want to tie the hands of those who are responsible for buildings on this particular reserve and to insist on such buildings being erected without provision being made for a roadway at the place recommended. The recommendation of the joint committee should be given effect to and I hope the Council will not insist on its amendment. I move—

That the amendment be not insisted on.

Hon. C. F. BAXTER: At the end of last session Parliament appointed a joint committee which gave careful attention to the selection of a site for Government buildings. One of the most important recommendations of the Committee was that no land should be purchased for a Government building and another was that one chain of land as specified in the plan should be excised from the eastern end of the Government Domain for the purpose of a road to serve the buildings to be erected. That is the point where the land joins the Christian Brothers' property. If the Council's amendment is insisted upon and agreed to, we shall find buildings erected on a block of land with no roadway on either side, unless those who favour this amendment are of the opinion that there should be a road between Government House and the Government buildings. But surely no hon. member would want a road running so close to Government House! Means of ingress and egress to the buildings will be necessary and in no other way can such provision be made than by the setting aside of this piece of land for a road. If that is not agreed to the responsible officers will be in the awkward position of planning buildings as if there were a road in existence without knowing whether such a road will ever be

approved. The proposed road will separate the new Government buildings from the Christian Brothers' property. If there is no road there will be up-to-date Government buildings looking into the back yard of the Christian Brothers' property. The Christian Brothers are not likely to erect buildings on the western side of their property facing the Government Domain if there is no outlet. I hope the House will alter its previous decision and perceive the advisability and absolute necessity for this road.

Hon. H. S. W. PARKER: I am afraid there has been a misunderstanding about this matter. I do not oppose the provision of a road where such is deemed necessary, but in answer to certain questions I submitted, the Government had not the foggiest notion whether a road would be wanted or what it would cost. Obviously such a road is not yet necessary. Further we have been told that no building will be erected on that end of the reserve for some years. I object to making it a law of the country that a road shall be established at a place where it may never be necessary. The effect would be that a road would exist and perhaps the Town Planning Board would permit the Christian Brothers' block to be cut up with a frontage to the statutory road. If that were done, someone would have to build the road and that would be the City Council, and the road would be built for the benefit of the purchasers or the present owners of the Christian Brothers' property and would be of no advantage to the Government. We are asked to agree to this road so that the Government buildings will not overlook the backs of houses, but if there are no backyards on this street there will be backyards on the Victoria Avenue side. That is obvious if the width is considered. If the property is subdivided there cannot be houses facing each way without a slum area being created. The houses must face Victoria Avenue or this new street. There is only a 99ft. width.

Hon. L. CRAIG: I think it is more than that.

Hon. H. S. W. PARKER: It is 331.8 links; that is, three chains. The buildings in the street would be very small.

Hon. J. J. Holmes: Who said houses would be built?

Hon. H. S. W. PARKER: The main point is that we are told a road is not wanted at present.

Hon. J. J. Holmes: Who told you that?

Hon. H. S. W. PARKER: We have been told throughout the debate.

Hon. J. J. Holmes: By whom?

Hon. H. S. W. PARKER: Everybody. When the hon. member spoke I understood him to say that he made a condition that the first building would be on the western end.

Hon. J. J. Holmes: That does not demonstrate that no road is wanted.

Hon. H. S. W. PARKER: It is not wanted at once for the purposes of ingress and egress as stated in the Assembly's reasons for disagreeing to the Council's amendment.

The Chief Secretary: Will it ever be wanted? That is the point.

Hon. H. S. W. PARKER: Never. To make a road you have to build up an embankment and make a cutting. That is what happened in Victoria-avenue. No road will be built in our time.

Hon. J. J. Holmes: Will the world come to an end when you do?

Hon. H. S. W. PARKER: It will so far as I am concerned. I see no object in forcing a road upon the municipality, and later on a Bill having to be brought down perhaps to close it. Let us see how things develop and then decide where the road should be placed.

Hon. L. CRAIG: I hope the Committee will insist upon its amendment. I have been over the site on four separate occasions. It is my hope that some day the Christian Brothers' property will be acquired by the Government.

The Chief Secretary: From what source is the money to come?

Hon. L. CRAIG: No buildings will be erected on the east end of the proposed site for at least fifty years, seeing that the first buildings will be erected on the western end. It would be unwise to declare a road at present. Such a thoroughfare would provide neither ingress or egress to the ground because of the big drop in the levels. The road can be put in when the necessity arises. It would be ridiculous to have two main thoroughfares within 66 yards of each other.

Hon. J. J. HOLMES: The Committee made a mistake when it amended the Bill. The joint committee inquired fully into the whole question, and decided that, provided eight acres of land were available, no re-

sumption would be required. The reasons given by the Assembly for disagreeing with our amendment explain the position. A road must be built leading into the Government property. If then buildings are erected on the Christian Brothers' land, the frontages will face the new road and not Victoria-avenue. The joint committee decided that the road should be constructed, and that to begin with the buildings should be erected on the western end of the block. I admit that at the outset I was opposed to the selection of this site.

Hon. C. F. Baxter: So was I.

Hon. J. J. HOLMES: But after hearing the evidence and inquiring fully into the matter, my colleagues and I came to a unanimous decision. I hope the Committee will endorse our recommendations and agree to the construction of the road.

Hon. H. S. W. PARKER: I draw attention to Section 7 of the Town Planning and Development Act, which lays down that in the case of all buildings, whether ugly or otherwise, the final decision rests with the Minister.

Question put and a division taken with the following result:—

Ayes	..	..	..	16
Noes	..	..	..	6
				—
Majority for	..	..	..	10

AYES.

Hon. C. F. Baxter	Hon. W. H. Kilson
Hon. J. M. Drew	Hon. W. J. Mann
Hon. G. Fraser	Hon. T. Moore
Hon. E. H. Gray	Hon. H. L. Roche
Hon. W. R. Hall	Hon. A. Thomson
Hon. V. Hamersley	Hon. C. B. Williams
Hon. E. M. Heenan	Hon. G. B. Wood
Hon. J. J. Holmes	Hon. G. W. Miles

(Teller.)

NOES.

Hon. L. Craig	Hon. H. S. W. Parker
Hon. J. M. Macfarlane	Hon. H. Tuckey
Hon. J. Nicholson	Hon. Sir Hal Colebatch

(Teller.)

Question thus passed: the Council's amendment not insisted on.

The CHAIRMAN: Amendments Nos. 2 and 3 are consequential upon Amendment No. 1. Members by not insisting upon the first amendment, have restored the Bill to its original form.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

MOTION—RAILWAY SERVICE, SUPERANNUATION.

Debate resumed from the 20th November on the following motion by Hon. Sir Hal Colebatch (Metropolitan)—

That in the opinion of this House it is desirable that the Government give consideration to the cases of those railway ex-employees who were in the service prior to 1905, several of whom are in straitened circumstances.

HON. J. J. HOLMES (North) [8.48]: At the outset I wish to make it clear that I am entirely opposed to the motion, and before I conclude my remarks I hope I shall have convinced other members to a like point of view. I have given this matter very serious consideration, and I am at a loss to understand why Sir Hal Colebatch ever introduced the motion at this stage. I cannot find any objective that he has in view, unless I am unkind enough to say that it is to put some other members in an awkward position. However, that is the only conclusion I have been able to reach as to the one result to be achieved by the passing of the motion. True, we all have sympathy with the men Sir Hal Colebatch said he had known for 35 years, men who are now, according to the motion, in straitened circumstances. Our sympathy and this motion will not get those men anywhere. I think that a lot of harm has been done by the motion already. Unfortunately, there are many people who do not know the difference between an abstract proposition and an Act of Parliament. Some seem to think that Parliament can do anything, that it has merely to carry a motion and the end is accomplished. I believe a lot of these ex-railway men are of that opinion.

The saddest part of this matter is that ever since the motion was placed before the House, night after night, day after day, several aged men have been in the gallery—I felt sorry for them—waiting presumably for their pension that Sir Hal Colebatch's motion was to obtain for them. I regard it as a mistake to create such an impression especially at the present juncture. On one or two occasions I felt inclined to go up to the gallery and explain the position to those men. I may have known them 35 or 40 years ago, but I certainly do not remember their faces now. To put those elderly men to the inconvenience of coming here day after day and night after night, in the belief that they

were to get their pensions, whereas no one knows better than the mover of the motion they have no hope of securing it even if the motion were approved, is wrong. What mystifies me is that Sir Hal was in Parliament from 1912 to 1927—I hope I am correct in my recollection—

Hon. Sir Hal Colebatch: It was until 1923, not 1927.

Hon. J. J. HOLMES: Then that represents a period of 11 years. Notwithstanding that fact, throughout that period Sir Hal was a Minister of the Crown for a considerable time. He held different portfolios in Ministries and was at one time Premier of the State. Notwithstanding that, during the period I have mentioned, and knowing the position of these men for so many years, Sir Hal did not turn hand or foot, so far as I can ascertain, to remedy what he now considers are their grievances. He comes to Parliament with the motion under discussion and his justification for his action is apparently to be found in a recommendation of a select committee of another place. If the hon. member will cast his memory back over his term of Ministerial office and his association with the Parliament of this State, and recollects the select committees and Royal Commissions that have been appointed, he will probably agree that little notice was ever taken of those inquiries. One with which I was associated—an inquiry into the Peel Estate—would have saved the State £1,000,000. No notice was taken of the recommendations of that select committee. However, Sir Hal Colebatch bases his motion on the recommendation of a select committee of the Legislative Assembly. So far as I can remember, the advice of the best legal authorities this State ever had is against the proposal.

I entered Parliament in 1897. The motion refers to matters dating back to 1905. In the days I mention, the Government Railway Workshops were at Fremantle. The railway men were responsible for placing me in Parliament. In time I became Minister for Railways, or rather Commissioner of Railways, for at that time there was a general manager. In 1901, when I held that office, if these men had any right to a pension, I was then in the mood, and would have had the desire, to see that they secured what they were entitled to. The railway men never raised the question, so

far as I can remember. They were not under the Arbitration Act in those days; I do not think that legislation was passed until 1902. There were the salaried staff and the wages staff. The salaried staff worked seven days a week and all hours day and night. It was boom time then, and the salaried staff received no remuneration other than their salaries. The wages staff secured their wages and they were paid overtime for all excess work they did. So far as I can remember, one set had wages plus overtime and no pension; the others had salaries, no overtime, and pensions. True, the railway men had grievances galore. I admit that. There was a strike but we got over that difficulty. I remedied all their grievances so far as I could. I cannot recall to mind that the question of pensions was ever raised. It seems to me that in those days the men selected wages plus overtime—certainly wages were nothing like what they are now—and that was the accepted position. Now we find that Sir Hal Colebatch wakes up, about 35 years later, and claims that the ex-railway men are entitled to pensions. My answer to that is that if they were so entitled, they should have secured that right years ago when he was in office and had an opportunity to make the necessary provision.

I can only say that I even now cannot understand why the motion has been introduced at this stage. It has formulated ideas in the minds of these aged men that can never be brought to fruition. I think, especially in view of what is described as their straitened circumstances, it is a very wicked thing to do—something that I, with all my peculiarities, would not be guilty of doing. I admit I have had a good many fights in this House, but even my enemies, if I have any, will admit that I have always tried to play the game. Anything I have to say, I say to the Ministers occupying the Treasury bench—not behind their backs. I have never attacked civil servants who are not here to protect themselves, except that I recollect on two occasions, I attacked an Agent-General—not Sir Hal Colebatch, but Sir James Connolly—because I was perfectly satisfied he had taken up an attitude that ought to be exposed. Apart from that, I have always played the game. In bringing forward the motion at this juncture, I do not think Sir Hal has played the game. I do

not think that the interests of the men concerned are being advanced by the motion. I cannot be a party to it. I oppose the motion.

HON. C. F. BAXTER (East) [8.58]: I shall not occupy much time in addressing myself to the question, but I wish to draw the attention of members to the wording of the motion in which Sir Hal Colebatch suggests that the Government should give consideration to the "cases of those railway ex-employees who were in the service prior to 1905"—I always had in mind that the year was 1904—"several of whom are in straitened circumstances." The point is embodied in the last portion I have quoted. I am not going to pose as an expert on the rights or wrongs of the issue as to whether these men are entitled to pensions. Apparently the Government thinks otherwise. What I do know is that I come in contact with a fair number of men who have spent a lifetime in the Government service, and some of these, as Sir Hal Colebatch points out, are in straitened circumstances. It might not be a matter of following strict rights; I take it the motion means that the Government should give some consideration and some assistance to men who served the State for such a long period. They were about the only employees engaged in the Government service in 1904 who did not enjoy pensions. Although they were paid overtime, there were other employees who were paid overtime and who, on retiring, received pensions. I regard the matter from the humane standpoint. The State has had the service of a lifetime from these men. They worked alongside others who were on the salaried staff and who received pensions. If there is any way of giving assistance to these ex-employees, it should be given.

The Chief Secretary: Would you suggest that we should make distinctions?

Hon. C. F. BAXTER: No, but there are ways of making allowances. Take the list of compassionate allowances appearing in all our returns.

Hon. J. J. Holmes: Would you give an allowance to every branch of the public service?

Hon. C. F. BAXTER: There were very few, apart from the railway wages men, en-

gaged in 1904, who were not entitled to a pension. I shall support the motion hoping that if a way can be found to help these people in straitened circumstances, something will be done.

HON. G. FRASER (West) [9.2]: Up to the present stage I agree with much of what Mr. Holmes has said. Since I have been in Parliament this is the second occasion on which the matter has been brought before the House, and on both occasions I have been satisfied that the action taken would not carry us one step further towards reaching the objective desired by the ex-railway employees. It seems to me that these men are only being fooled by motions such as this. Therefore, to a point, I agree with the remarks made by Mr. Holmes. I think it entirely wrong that any move should be made to raise false hopes in people when there is no possibility, even if the motion is carried, of those hopes being realised. The motion is nothing but a pious resolution. However, I agree on principle that these men ought to receive pensions, and for that reason I shall support the motion. At the same time I regret that these men are being fooled by the introduction of the motion. As an ex-public servant, I naturally have great sympathy, particularly with the wages section of the service. I cannot understand why a distinction should be made between the salaried men and the wages men.

Hon. J. J. Holmes: In those days it was a question of overtime.

Hon. G. FRASER: Never mind the overtime. I consider that the wages section is more entitled to a pension than is the salaried section. Generally the wages man is on a lower rate of pay, and the salaried man has always received privileges that the wages man did not enjoy. In supporting the motion, I repeat that I regard it as being purely a pious resolution, and I regret that a pious resolution of the kind should be brought before the Chamber. I hope no other member will make a move in this direction unless there is some chance of achieving success. I am in sympathy with the principle of paying pensions to these employees, and for that reason I shall support the motion.

HON. J. CORNELL (South) [9.5]: This question might well be described as interminable—a sort of Kathleen Mavourneen. It is a matter that could be assented to only by the Governor. Governments of several political brands have refused to consider the question of pensions to these men. I do not join in any condemnation of Sir Hal Colebatch for moving the motion; in fact, I commend him. There are three old sayings of which I might remind members—hope springs eternal in the human breast, faith may remove mountains, and while there is life there is hope. There is the side of the men actually affected. I believe that before long some consideration will be given to the few ex-employees who are left. Year after year numbers of them are gathered to their fathers and not many are left. Whenever anybody comes to me as a suppliant I always endeavour to place myself in the position of the suppliant and consider him as the giver. These men are hopeful that some consideration will be given to them in their declining years, and nobody can blame them for being hopeful. If we were in their place, we would probably be living in hope. I do not blame Sir Hal for having taken up the cudgels on behalf of these men. It cannot be said that they never had a case. We all know that compassionate allowances have been granted in certain cases. I could quote men in the miners' settlement—constituents and fellow workmen of mine—who, in a sense, through technicalities, missed the benefits of the Miners' Phthisis Act and the Mine Workers' Relief Act. Mr. Williams is aware of that. The cases of those men were viewed compassionately and they were given consideration. The taxpayers have contributed these allowances over a period, though in law the men had no case. One who is in receipt of such assistance is a widow, an old friend of mine.

Hon. J. J. Holmes: Where does the money come from?

Hon. J. CORNELL: From Consolidated Revenue. Consideration was extended to these men because their working days were over and the grave was almost open before them. I commend the Government for having given them consideration.

The Chief Secretary: There is no analogy between those cases and the cases of the ex-employees mentioned in the motion.

Hon. J. CORNELL: There is.

The Chief Secretary: Not the slightest.

Hon. J. CORNELL: I maintain that there is a close analogy. I have no desire to get into holt of a party sort, but I know that compassionate allowances have been made by Governments in this State that would not bear very close investigation. Of the men mentioned in the motion, there cannot be many, and I hope sympathetic consideration will be given to them. If at all possible, they should be given financial help to ease their position in the evening of their lives. For over 20 years I have been a member of the State Executive of the R.S.L., and in season and out of season we have sought for additional concessions and further consideration for ex-service men who had not the requisite qualifications under the Repatriation Act. That body succeeded in getting the Commonwealth Government to give recognition to men who did not come within the existing provisions of the law. I hope that even now the State Government will find a way to give consideration to these ex-employees and thus bring a little more brightness into their lives.

HON. T. MOORE (Central) [9.13]: I had no desire to speak on the motion because it has been so well threshed out through the years that every member must fully understand the position. Efforts have been made at various times to secure consideration for these men. This, however, is a cleverly worded motion. It means two things, and I find it difficult to decide what the real meaning is. It does not call upon the Government to give these men pensions; it proposes that they be given consideration. I feel positive that, irrespective of whether the motion is passed or negatived, the Government will give consideration to anyone who is hard up. The motion is peculiar. It begins—

That in the opinion of this House it is desirable that the Government give consideration to the cases of those railway ex-employees who were in the service prior to 1905 . . .

If Sir Hal Colebatch had stopped there, the motion would have been definite. It would have meant that the men listening to this debate to-night would have had their case presented. But the motion goes further and creates another set of circumstances. It says—

. . . several of whom are in straitened circumstances.

What I want Sir Hal Colebatch to state clearly is whether he asks for pensions for all these men, or consideration for men who are in straitened circumstances. The motion is remarkably indefinite. It puts two questions at once, and that is wrong. The latter part of the motion may have been inserted merely to assist the whole of the men concerned, or else as a bait which no member of the Chamber could resist. It would be hard for me to stand up against the Government's giving consideration to any man in straitened circumstances. There is the unfortunate aspect of the wording of the motion, leading these men to believe that they are all to receive pensions. They think, "We now have a last chance to get pensions." Consideration must be given by the Government to men in straitened circumstances, whether they are ex-railway men or anything else. An idea has been allowed to get abroad that a move has been made to get these men pensions, of which there is in fact no possible chance. The motion merely gives them a hope of pensions. Unfortunately, "Hope deferred maketh the heart sick." The motion will not get these men anywhere. I ask Sir Hal to state clearly whether he wants something for all these men or only for those in straitened circumstances.

HON. E. M. HEENAN (North-East) [9.18]: After listening to the speeches I have made up my mind to oppose the motion. Apparently this question goes back considerably more than a quarter of a century, while the agitation has been only of recent years, in spite of the fact that several Governments have been in office during the intervening period. I was indeed surprised to learn from Mr. Holmes that during the same period Sir Hal Colebatch held prominent office in various Administrations, while yet the subject was never raised.

Hon J. Cornell: The men who were retired then are all dead.

Hon. E. M. HEENAN: A motion of this sort should not be moved, because it places all members in an unfortunate position. I am sure that if we all obeyed the dictates of our hearts, we would support the motion and do everything in our power to see that the men concerned got pensions, or received some other consideration. On the other hand, they represent only one section of the community, and I daresay there are hundreds of other men whose cases are quite analogous

to theirs. If we carry this motion, it will come to nothing. From time to time Governments have considered the matter and, after exhaustive consideration, have been reluctantly compelled to turn down the proposal. The best and most honest attitude for us to adopt relatively to these men is to put an end to their false hopes. If the motion is carried, they will go on hoping for a few months longer, until the inevitable decision inflicts an even severer blow.

Hon. T. Moore: Meantime they will go on hoping and worrying.

Hon. E. M. HEENAN: By carrying the motion we would merely place the Government in the position of having to make a refusal, and that is a responsibility which we should all be prepared to shoulder.

Hon. J. Cornell: Let the Commonwealth carry the responsibility.

Hon. E. M. HEENAN: I regret extremely having to speak in this way, but any other course would result merely in prolonging anxiety and false hopes.

HON. W. J. MANN (South-West) [9.23]: I support the motion. I can quite understand the men concerned being hopeful of receiving some little recognition from the State, particularly if they are aware that during the year 1939-40 Western Australia paid in pensions under the Superannuation Act £135,944 and by way of compassionate allowances an additional £6,500. I shall not debate whether or not all these pensions are justifiable. The State has agreed to pay them, and they have been paid from year to year. Here we have a small section of Government employees who have rendered good service under conditions which cannot be described as sheltered; and they may feel very dissatisfied that others in the same service, and often doing less arduous work, receive pensions. I know that the case has been brought up many times, and that various conflicting legal opinions have been given. Yet the Government does in some instances grant compassionate allowances. It does recognise that such things are just. While I do not go so far as to say that it will be possible to give these men what they would have received had they not been excluded, in my opinion wickedly excluded, from the provisions of the 1904 Act, it should be possible for the Government to make in some way at any rate, a recognition

of their services. We continually hear of retiring allowances, and probably we shall hear more of them in future. Men who have served in the State Public Service are granted either extended leave or a retiring allowance, and sometimes both. As we allow that system to continue, it can be said that the men here in question have a certain right. I trust the Government will re-consider the matter with a view to recognising the services that have been rendered in this instance.

HON. J. NICHOLSON (Metropolitan) [9.27]: I did not intend to speak on this motion, because the subject has been explained so fully by the mover, Sir Hal Colebatch. However, in view of the debate which has taken place, I feel it incumbent upon me to state my views, especially because I have at various times endeavoured to see what could be done for the benefit of members of a service which has contributed so greatly towards the development of the country. The question is whether these men should receive some consideration because of an anomaly which existed or was created by some indefiniteness in a statute passed a good many years ago. There has been brought before us this evening a suggestion that the sponsor of the motion may have misled the men into expecting that through this motion they may have by some means a chance of receiving that consideration to which they feel they are entitled.

I would like to call the attention of hon. members to the wording of the motion. It is quite clear, although Mr. Moore questioned its meaning. The motion reads—

That in the opinion of this House it is desirable that the Government give consideration to the cases of those railway ex-employees who were in the service prior to 1905—

That was before the Public Service Act came into force—

several of whom are in straitened circumstances.

I venture the opinion that the motion shows the sympathy of the mover, who desires that the cases of these men should be inquired into. No one should be deserving of censure for sponsoring the cases of men who are apparently suffering an injustice. Personally, I know that to be quite true. The Government of a former day was advised by its then Attorney-General—a gentleman now deceased, but who was illustrious and highly

respected in his profession—that these men were not entitled to a pension, that they were not entitled to the right enjoyed by men on the railway staff, who, strange to say, have received the benefit of a pension. The men who drove the engines, however, did not receive a pension. I remember that on one occasion, when this matter was before the House, I was so aroused by what I considered to be the injustice done to these men that I said, "The men engaged in the office of the railways are entitled to a pension, but the men driving the engines are deprived of that right because of some interpretation of the Act. What in the name of Heaven is the difference between driving a quill and driving an engine? Surely the man who drives the engine is performing as great a task for the benefit of the public as is the man who drives a quill and who is receiving a pension!" The motion does not ask that the pension shall be paid. Sir Hal Colebatch, in moving the motion, fully explained the legal opinion which was given.

The Chief Secretary: That is not so.

Hon. J. NICHOLSON: I thought Sir Hal Colebatch made some reference to it, but it matters not. I know these ex-railway employees are in straitened circumstances; and that several of them are most worthy men. Their cases are deserving of consideration; because, as Mr. Cornell has pointed out, consideration has been extended by the Government to other people whose claims are not as great as are the claims of these men. I sincerely trust the motion will receive support.

HON. SIR HAL COLEBATCH (Metropolitan—in reply) [9.36]: Mr. Holmes asked what motive I had in submitting the motion. I did not clearly catch the motive which he suggested, and I may say that I am not in the least interested in what the motive was. I have a clear and simple motive—a desire to see the right thing done, and I am not ashamed of that motive, whatever the consequences of it may be or whatever criticism or condemnation it may bring upon me. Mr. Holmes also said that some of these men have been brought here day after day on the assumption that, if the motion were carried, they would get their pension. That raises two questions to which I must reply. First of all, the suggestion that the men came here with the idea that if the motion were carried they would get

pensions is entirely contrary to fact. These men are intelligent men; they know exactly the limitations of the motion. They know the extent to which it might help them and the extent to which it is unlikely that it would help them. They were in no way misled. The other point is, whose fault is it that they should have come here day after day? I submitted this motion early in the session. There has not been a single sitting day on which I have been absent or on which I was not prepared to bring this matter to finality. It is no fault of mine that it has dragged on from day to day; and, whilst I am grateful to the Chief Secretary for giving me the opportunity to discuss the motion this evening, I cannot take from his shoulders the blame of having delayed it until now. It is a matter for which he, and he alone, is responsible. No doubt he had his reasons and I am not going to question them; but when Mr. Holmes suggests that I have inflicted hardship on these men by bringing them here day after day, I must repudiate any responsibility for that condition of affairs. Mr. Fraser admitted that injustice was being done to these men. It is rather strange to admit that injustice has been done and then try to cast blame on someone who endeavours to right that injustice.

I do not know what Mr. Fraser himself proposes to do, whether he proposes, although recognising that these men are suffering an injustice, to sit down and let the matter drift. Both the Chief Secretary and Mr. Holmes have referred to the fact that I was a member of a Government for a considerable time. So far as my recollection goes, this matter was never raised during the period I was a member of that Government.

Hon. J. Cornell: It was never an issue in your time.

Hon. Sir HAL COLEBATCH: No. Mr. Holmes admits that when he was Commissioner of Railways the claims did not come before him. I knew nothing of the matter until long after I had ceased to be a member of this House. So far as the raising of hope in the minds of these men is concerned, I do not think they are ever likely to give up hope, for two reasons. One is that they are absolutely convinced of the soundness of their claim. The other is that, in spite of many disappointments, they still cling to their belief in Australian justice. The Chief Secretary has said that the Government has

never recognised the legality of the claims of these men. Is that so? Will that statement bear examination? If the Government has never recognised the legality of the claims, how comes it that railway men, in exactly the same position, who were years ago transferred to the Commonwealth Government, have received and are receiving to-day pensions from the Commonwealth Government, the State Government contributing its share in accordance with the period that the men served in the State service? In face of that, how can it be contended that the Government has not recognised the legality of these claims?

The Chief Secretary: I think we would require a little more detail with regard to those cases before assenting to that statement.

Hon. Sir HAL COLEBATCH: I do not think there is any question about it. There is no need for me to repeat what I said, when moving the motion, as to the volume of legal opinion in favour of the men's claims. But let me put this question to the Minister: Will the Government permit the legal question—the question whether these men were in fact serving in an established capacity—to be decided by a court of law and undertake to abide by the result, and not to overrule it simply by a decision of the Executive Council? If the Government will give that undertaking, my case falls to the ground. If the Government will give an undertaking that facility will be afforded for the case to be presented to the court and that it will abide by the result, my case would, as I said, fall to the ground. But what is the position of the men to-day? If they succeeded, as I have no doubt they would, in securing support from sympathetic people to enable them to bring the case, and won it, they know perfectly well that the Executive Council would still brush their claims aside. Will the Government put them in the position of understanding that if they establish their legal claim, that claim will be met? Then the present position will be entirely altered.

I have refrained from quoting individual cases, but I propose now to mention two or three that are in many ways characteristic of all. One man was engaged in England in 1897, under the 1871 Act. He was induced to give up a position with an English railway company under which he had an assured pension. Both the 1871 Act and the assurances given to him at the time of his

appointment guaranteed to him a pension if he accepted service in the department, and he came here under those conditions. Is it strange that I should resent the breaking of an undertaking like that? I do resent it. Take the second case. A man who was retired at the age limit two or three years ago made an application for his pension. It was refused by the Pensions Board. I think I am entitled to say that that refusal was made in accordance with Government policy and not as the freely expressed opinion of the board. I say that without any reflection on the board. The applicant appealed, as he was entitled to do, to the Public Service Appeal Board and this was the decision of the board:—

“It appeared that the appellant was appointed Head Porter at Kalgoorlie in December, 1900 (after serving in other positions), that the position involved the supervision of inward and outward goods, transhipment of through goods and deliveries to consignees and of ullages of consignments; that the normal working operations of the railway service require a named appointee for such duties; that such an appointment has been continually maintained since the institution of the service to Kalgoorlie; and that the position requires discharge of supervisory and administrative duties, and has characteristics of individuality, responsibility and importance, and has for many years past been treated as a position on the permanent section known as the salaried staff.

It was proved to the satisfaction of the Board that although the transfer of the position to the salaried staff marked a change in recognition of status, the essential character of the position of Sub-Foreman at Kalgoorlie is the same as that of the previously existing position known as Head Porter at Kalgoorlie, and has pertained to it since its first occupancy by the appellant in 1900.

The Board is of opinion that such position was a civil office held by the appellant and that he served continuously in an established capacity in the Permanent Civil Service (Railway Department) from 1900 to the date of his retirement. The decision of the Board is that his service since 5th December, 1900, until retirement, should for purposes of his claim for superannuation be treated as service in an established capacity.”

That board, I understand, is presided over by a judge of the Supreme Court. Its decisions are final and binding. There is the decision regarding that man; but where is his pension? The Government has not paid it and refuses to do so. Is there any particular enormity in a member of this House taking up an obvious case of injustice like that? There is another case of a similar kind that met with a like fate. The man's

appeal was upheld by the board but refused by the Government. On the other hand, I am informed—and I believe correctly—that at least four men who recently retired received their pensions, yet they had no greater claim than have the men in whose interests I moved this motion.

Instead of dealing with the motion on its merits, the Chief Secretary endeavoured to stampede the House by what I can only term a hugely exaggerated statement as to the amount of money involved. He reached the fantastic total of £1,500,000 by including many hundreds of men who have no rightful claim. The total number of men involved at the present time is less than 200, and since most of them are well over 70 years of age, that number is rapidly decreasing. It would be unreasonably optimistic to allot to those men a continued life of more than about five years, so that if the Government did pay the full amount of the pensions claimed, the total could not reach even one-tenth of the sum mentioned by the Chief Secretary. My motion, as Mr. Nicholson pointed out, does not go so far. I ask only for consideration to be given to the matter, and I am free to admit that apart altogether from the legal aspect of the claims, I do not know that I should have bothered much about it if it were not for the fact that many of these men are in indigent circumstances. Many of them are drawing the old-age pension, a responsibility cast upon the Commonwealth Government because the State Government is not standing up to its obligations. Reference was made to men still in the service. It was suggested that when the time came for their retirement they would be claimants. However, they are provided for. They come under the Superannuation Act passed a year or two ago. I know the facts of one case and there are many more of the same kind. A man in exactly the same circumstances as these men applied to come under the Superannuation Act. They retired too soon to come under that Act, but this individual retired more recently than they. He now receives £2 a week. Had he received the pension, he would have had £180 a year. He receives a good deal less but, on the other hand, should he die, his widow, under the Superannuation Act, will continue to receive 25s. per week for the

rest of her life, so that he is not very much worse off than if the pension had been paid to him.

The Chief Secretary: Except that he is paying for superannuation.

Hon. Sir HAL COLEBATCH: Yes, he has to pay something for superannuation, but he has been able to provide for his old age and for his wife. The men for whom I am speaking had no opportunity to do either. It boils down to this: That there is just this small body of men who were forced to retire too soon to enable them to come under the Superannuation Act and who are quite willing, if an opportunity is afforded them, to rely entirely on their legal rights.

Hon. J. J. Holmes: What is to prevent them from proceeding to establish their rights?

Hon. Sir HAL COLEBATCH: They have been told that Executive Council would not grant the pension whatever the result. I have read the decision of the Public Service Appeal Board.

The Chief Secretary: The hon. member has not given the whole of the facts surrounding those cases.

Hon. Sir HAL COLEBATCH: I have read the decision of the Public Service Appeal Board and that is all I know of the matter.

Hon. J. J. Holmes: Could Executive Council set aside a judgment of the Supreme Court?

Hon. Sir HAL COLEBATCH: Of course it could.

Hon. J. J. Holmes: It should not be able to do so. I thought a Supreme Court decision was final.

Hon. Sir HAL COLEBATCH: It boils down to this: That there is a little handful of men who have not had an opportunity to come under the Superannuation Act and who, added to the sting of poverty, have a rankling sense of injustice. The motion does not bind the Government to do anything in particular. All I have asked the Government to do—and I think I am entitled so to ask it—is to give consideration to these cases with a view to doing some form of substantial justice to a body of very deserving men.

Question put and passed.

BILL—MEDICAL ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had disagreed to the amendment made by the Council.

In Committee.

Hon. J. Cornell in the Chair; Hon. A. Thomson in charge of the Bill.

New clause—Insert a new clause to stand as Clause 6, as follows:—

6. This Act shall continue in force during the continuance of the war in which His Majesty is at the commencement of this Act engaged and for a period of six months thereafter and no longer.

The CHAIRMAN: The Assembly's reasons for disagreeing are—

1. The regional certificates must be renewed annually.

2. The Governor may cancel the region at any time and no regional certificate can then be granted.

3. A regional certificate has to last for seven years before any general certificate can be granted, and then it is granted only when the Minister considers that the interests of the community will be served by granting it.

Therefore the certificates granted may all have been cancelled before the war ends and there is no need for the amendment.

Hon. A. THOMSON: I move—

That the amendment be not insisted on.

Hon. J. NICHOLSON: I intend to vote against the motion. There is only one course to take in connection with a measure of this sort, having regard to the necessity for safeguarding the rights of our men who are serving in the forces at the present time, and that is to insist upon the amendment. If our medical men happened to be in the countries from which the refugee doctors have come, what kind of consideration would be meted out to them by those countries?

Hon. L. Craig: This Bill is to help the sick people in the country.

Hon. J. NICHOLSON: We must safeguard our own men.

Hon. V. Hamersley: And let down the country people.

Hon. J. NICHOLSON: Not at all. Refugee doctors will have to prove their qualifications and abilities for service in the country districts, and they will then be allowed to give their services within the limits imposed.

Hon. C. F. BAXTER: The necessity for this Bill arises from the fact that medical men are not available for service in the country districts. By means of this measure it is hoped that the present difficulty will be overcome, and that certain refugee doctors will be made available to fill the gaps. When the time comes to make room for our own men who have gone to the war, that situation will be within the control of the Administration. Refugee doctors will know that they have to give up their jobs within a specified time. Our professional men would also know that six months after the termination of the war the refugee doctors would have to get out.

Hon. J. J. HOLMES: There are some people in this world who seem to think they know more about another man's job than he himself knows. Mr. Baxter indicated that these men would have to get out of their jobs at the end of the war.

Hon. C. F. Baxter: I take exception to that remark, and would like it withdrawn.

The CHAIRMAN: To what remark does the hon. member take exception.

Hon. C. F. Baxter: That I said the Bill would mean these men getting out of their jobs at the end of the war.

The CHAIRMAN: I heard Mr. Holmes say that some people thought they knew the other man's job better than he did.

Hon. J. J. HOLMES: How could that apply to Mr. Baxter?

The CHAIRMAN: The hon. member has applied it to himself, and I ask Mr. Holmes to withdraw the remark.

Hon. J. J. HOLMES: I think I am right. The country is full of such people.

The CHAIRMAN: Mr. Baxter said he was one of them, and would like the hon. member to withdraw his remark.

Hon. J. J. HOLMES: I withdraw the statement. This is experimental legislation and should not be made permanent. If we do not insist upon our amendment the Bill will become permanent.

Hon. H. S. W. PARKER: I should like to have a ruling as to whether an amending Act can remain in operation for a limited period when the Act it is proposed to amend is a permanent measure.

The CHAIRMAN: The hon. member should give notice of that question.

Hon. H. S. W. PARKER: Because of the many safeguards contained in the Bill I do not think we should run the risk of losing it. I support Mr. Thomson.

Hon. G. FRASER: This Bill is designed to last for six months after the termination of the war. Will those sections of the Act it proposes to amend also cease to be in operation then?

The CHAIRMAN: The period of operation will only concern this particular measure.

Hon. E. M. HEENAN: I hope the Committee will not insist on its amendment. The Bill contains all kinds of safeguards. If refugee doctors do not come up to the mark they will be under the control of the Administration. The certificates that will be granted can last only for a definite term.

Hon. A. THOMSON: This measure is urgently needed because of the position that arises in the country districts. Regional certificates may be cancelled by the Minister. All that is desired is that country people may be placed in the position to receive the necessary medical attention. If there is any danger of the foreign element absorbing practices of Australian doctors while the latter are on war service, I am quite sure Parliament will readily pass amending legislation to deal with that phase.

The CHAIRMAN: I want to make the point clear that when hostilities cease, there will still be the peace treaty to be arranged and members know what happened at the end of the 1914-18 war.

Hon. H. S. W. Parker: You do not know what will happen at the end of this war.

The CHAIRMAN: Some members have talked about six months after the conclusion of the war. It may take two years to arrange the peace treaty, and during that time we may still be in a state of war.

Hon. C. B. Williams: The refugees will be back home by that time.

Hon. H. TUCKEY: I am desirous of assisting the country districts, but I do not agree that the Bill should be passed as a permanent measure. Mr. Thomson and others seem to think that the present unfortunate position will continue forever, but I do not hold that view. When we revert to prosperous times again, there will be every inducement for doctors to take up their residence in country towns. I hope the Committee will insist on the amendment.

Hon. J. NICHOLSON: I, too, do not wish to inflict any injustice on Australian doctors but if the Bill is passed as a permanent measure, there will be that grave danger. We should insist upon the right of review, and for that reason we should adhere to our amendment.

Question put and a division called for.

The CHAIRMAN: Before I appoint tellers and they tell, I wish to indicate to members that this will be the first occasion during the current session on which I shall have exercised my vote during Committee proceedings. I realise that my vote will be valueless on this issue, but I wish to place on record that I was faced with a twofold situation in considering the measure. One was my desire to help a section of the community that is suffering from the lack of medical facilities and the other was an endeavour to provide for our medical men who have gone overseas the only safeguard that could be provided, which was that Parliament should agree to exercise the right of review of the legislation. That right has been denied. I give my vote with the "noes."

Division taken with the following result:—

Ayes	..	..	..	..	15
Noes	..	..	..	..	7
Majority for	..	..	..	..	8

AYES.

Hon. C. F. Baxter
Hon. L. Craig
Hon. J. M. Drew
Hon. G. Fraser
Hon. E. H. Gray
Hon. W. R. Hall
Hon. V. Hamersley
Hon. E. M. Heenan

Hon. W. H. Kitson
Hon. J. M. Macfarlane
Hon. W. J. Mann
Hon. G. W. Miles
Hon. H. S. W. Parker
Hon. A. Thomson
Hon. H. L. Roche
(Teller.)

NOES.

Hon. Sir Hal Colebatch
Hon. J. Cornell
Hon. J. J. Holmes
Hon. J. Nicholson

Hon. H. Tuckey
Hon. C. B. Williams
Hon. G. B. Wood
(Teller.)

Question thus passed; the Council's amendment not insisted on.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—STREET COLLECTIONS (REGULATION).

Assembly's Amendment.

Returned from the Assembly with an amendment, now considered.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 1: Insert a new subclause, to stand as Subclause (2), as follows:—(2) For the purposes of this section the words "public street" in addition to the ordinary meaning assigned to them include any doorway, opening, lane or space adjoining or adjacent to any street or road and also land (whether public or private) used or capable of use by the public for pedestrian traffic.

The CHIEF SECRETARY: I move—

That the amendment be agreed to.

The Assembly's amendment will deal with what I regarded as a deficiency in the Bill after we deleted the word "place." Under the definition clause it would be possible for people to use the places mentioned in the Assembly's amendment and thereby nullify the control we desire to exercise.

Hon. J. NICHOLSON: I am not at all in agreement with the amendment. Some restriction is necessary because to include private land would be unfair. I move—

That the amendment be agreed to subject to the striking out of all the words after the word "road."

Hon. Sir HAL COLEBATCH: In view of the amendment that we made at the instance of the Chief Secretary in the definition of "collections," I cannot see any harm in the Assembly's amendment.

Hon. G. Fraser: It is an improvement.

Hon. Sir HAL COLEBATCH: Yes. Without such a provision, there might be evasions. This measure applies not to a sale of goods but only to the taking up of a collection.

Hon. J. NICHOLSON: Apparently Sir Hal has not grasped the full effect of the amendment. The alteration of the definition of "collections" will not affect this amendment.

Hon. Sir Hal Colebatch: Of course it will.

Hon. J. NICHOLSON: To include public or private land would undoubtedly be unjust. The object of the Bill is to regulate street collections, and the provision should be framed accordingly. If we accept the amendment, we shall be departing from the title of the Bill. Why should not I have the right to use private land for taking up a collection?

Hon. Sir Hal Colebatch: You could get a permit.

Hon. J. NICHOLSON: The first part of the Assembly's amendment will afford sufficient safeguard against evasion.

The CHIEF SECRETARY: I cannot see why we should not control collections on private land used or capable of being used by the public for pedestrian traffic.

Hon. G. FRASER: There are half a dozen places of that kind in the city.

The CHIEF SECRETARY: Yes. If a collector could not get authority for an ordinary street appeal, he might take up a collection in one of those places. Mr. Nicholson wanted to know why he should not be allowed to take up a collection in King's Park. Why should he?

Hon. J. Nicholson: Why not, if I got the permission of the King's Park authorities to do so?

The CHIEF SECRETARY: The hon. member now admits the need for getting authority. I cannot follow his argument. I understand that the Assembly's amendment was drafted and moved by a member of the legal profession to ensure that we should have control over street collections. Now the hon. member would clip a little bit off the Assembly's amendment in order that collections of the same kind might be taken up on private land without a permit. The administration of the measure will be in my hands and I have sufficient commonsense to be able to determine whether a collection of this sort comes within the scope of the law. I see nothing wrong with the amendment, and hope it will be agreed to without further debate.

Hon. G. FRASER: Mr. Nicholson is perhaps forgetting that there are many rights-of-way in the City of Perth.

Hon. J. Nicholson: I have not forgotten that for a moment.

Hon. G. FRASER: Then I am surprised at the proposed modification, because the people would be able to take up collections on private property.

Hon. J. Nicholson: The hon. member is wrong. That could not be done.

Hon. G. FRASER: If the hon. member's modification is adopted, it could be done in half-a-dozen places.

Amendment on the Assembly's amendment put and negatived.

Hon. J. NICHOLSON: The point is that the words used here are capable of an interpretation which is not desired. Those words would give the right to make collections on private property, and that is not intended. They bring back the word "place," which appeared in Clause 3.

The CHAIRMAN: The words to which the hon. member objects, "capable of use," cannot be taken out by this Committee. The message would have to be recommitted for that purpose.

Hon. J. NICHOLSON: Then I require to recommit the message.

Question put and passed; the Assembly's amendment agreed to.

No. 2. Clause 4: In line 17, delete the word "sixty" and insert the word "fifty" in lieu.

The CHAIRMAN: This amendment means getting back to the original wording.

The CHIEF SECRETARY: I do not think there need be any argument about this, and therefore I move—

That the amendment be agreed to.

Hon. Sir HAL COLEBATCH: That would be a great mistake. It is entirely within the Chief Secretary's discretion to grant any number of permits he likes. It does appear to me that 50 permits for the whole of the metropolitan area would be too few. My idea was that the number should be 75.

Question put and a division taken with the following result:—

Ayes	13
Noes	6

Majority for	7
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AYES.

Hon. L. Craig	Hon. W. H. Kitchin
Hon. J. M. Drew	Hon. J. M. Macfarlane
Hon. G. Fraser	Hon. W. J. Mann
Hon. E. H. Gray	Hon. G. W. Miles
Hon. W. R. Hall	Hon. A. Thomson
Hon. E. M. Heenan	Hon. C. F. Baxter
Hon. J. J. Holmes	(Teller.)

NOES.

Hon. Sir Hal Colebatch	Hon. H. L. Roche
Hon. V. Hamersley	Hon. G. E. Wood
Hon. J. Nicholson	Hon. H. S. W. Parker
	(Teller.)

Question thus passed; the Assembly's amendment agreed to.

Resolutions reported.

As to Recommittal.

Hon. J. NICHOLSON: I move—

That the message be recommitted for the purpose of further considering the Assembly's amendment No. 1.

Question put and a division taken with the following result:—

Ayes	10
Noes	10
<hr/>	
A tie	0
<hr/>	

AYES.

Hon. C. F. Baxter
Hon. Sir Hal Colebatch
Hon. J. Cornell
Hon. V. Hanersley
Hon. J. J. Holmes

Hon. W. J. Mann
Hon. J. Nicholson
Hon. A. Thomson
Hon. G. B. Wood
Hon. L. Craig

(Teller.)

NOES.

Hon. J. M. Drew
Hon. G. Fraser
Hon. E. H. Gray
Hon. W. R. Hall
Hon. E. M. Heenan

Hon. W. H. Kitson
Hon. J. M. Macfarlane
Hon. H. S. W. Parker
Hon. H. L. Roche
Hon. G. W. Miles

(Teller.)

The PRESIDENT: I give my vote in favour of the "ayes" as that will mean reconsideration.

Question thus passed; the message recommitted.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 1: Insert a new subclause, to stand as subclause (2), as follows:—(2). For the purposes of this section the words "public street" in addition to the ordinary meaning assigned to them include any doorway, opening, lane or space adjoining or adjacent to any street or road and also land (whether public or private) used or capable of use by the public for pedestrian traffic.

Hon. J. NICHOLSON: I move—

That the Assembly's amendment be amended by striking out the words "or capable of use."

The object of the Bill is to exercise control over street collections, and yet the Assembly's amendment relates to land that is capable of being used for the purpose indicated. I think the latter provision is inconsistent with the Title of the Bill. Then again, should anyone happen to provide land for patriotic purposes, he might unwittingly be responsible for committing a breach of this legislation.

The CHIEF SECRETARY: With all due respect to Mr. Nicholson, we are beating the

air. It is the opinion of one legal man against that of another legal man. I cannot understand how Mr. Nicholson can justify the suggestion that any part of the amendment is inconsistent with the Title of the Bill.

Amendment on the Assembly's amendment put and negatived; the Assembly's amendment agreed to.

Resolution again reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—BILLS OF SALE ACT AMENDMENT.*Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to the Council's amendment.

BILL—BUSH FIRES ACT AMENDMENT.*Assembly's Message.*

Message from the Assembly notifying that it had agreed to amendment No. 2, and had disagreed to Nos. 1, and 3 to 10, now considered.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

No. 1. Clause 5—Delete the words "thirty-first day of May" in line 10, and substitute the words "thirtieth day of April."

The CHAIRMAN: The Assembly's reason for disagreeing is—

Extension to the 31st May does not prevent burning, but only increases the period during which a permit is necessary in fire protected areas. The extra month would be desirable in dry years, and would not cause inconvenience as burning would usually be carried out earlier.

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

With the exception of two, the amendments on the notice paper are the same in principle.

Hon. L. Craig: No. They are different. One deals with protected areas; the others do not.

The HONORARY MINISTER: The expert authorities consider the amendment necessary.

Hon. L. Craig: What expert authorities?

The HONORARY MINISTER: The Forests Department.

Hon. L. CRAIG: I do not oppose this amendment, which refers to protected areas, that is, areas declared by the Minister to be fire-protected areas. In those circumstances, it is immaterial whether the date fixed is the 30th April or the 31st May.

Hon. W. J. MANN: Like my colleague, I realise that this amendment refers only to protected areas. I am given to understand there are two such areas, one at Collie and the other, I think, at Manjimup. I do not think that people in the south-western portion of the State are concerned with the amendment, but it may have some bearing on the eastern district. For that reason, I suggest that members representing the Eastern Province should let us have their views.

Question put and passed; the Assembly's amendment not insisted on.

No. 3. Clause 7—Delete paragraph (a):

The CHAIRMAN: The Assembly's reason for disagreeing is—

The extension to the 31st day of May does not prevent burning, but merely increases the period during which certain precautions are necessary. The extra month would be desirable in dry years, particularly in certain districts, and would not cause inconvenience, as burning would usually be carried out before May.

The HONORARY MINISTER: I move—
That the amendment be not insisted on.

Hon. L. CRAIG: I pointed out that the first amendment dealt only with protected areas. This amendment, affecting all the areas, is a different question altogether. One would gather from reading the Assembly's reason for not agreeing to the Council's amendment that the Assembly considers it would not cause much hardship. I point out, however, that the end of May in the South-West is almost mid-winter. The grass is up four or five inches, and normally we have a rainfall of seven or eight inches. If one desires to burn at the end of May, when the grass is wet and there are heavy dews every morning, this is what one has to do: He has to give to all his neighbours personally two days' notice of his intention to burn the bush. Similar notice has to be given to the secretary or a bush fire control officer of the local authority in whose district

or adjacent to whose district the land upon which the bush proposed to be burnt is situated, and, where the land on which the bush proposed to be burnt is situated within two miles of a State forest, to a forest officer. Imagine a State forest area being burnt in May! There would be no more chance of that than of burning the Swan River. The Committee should insist on its amendment making the date the 30th April instead of the 31st May as proposed in the Bill.

The HONORARY MINISTER: This will occur only in a dry year. In an ordinary season burning would take place at the ordinary time.

Hon. L. Craig: But the same liability would exist as before.

The HONORARY MINISTER: Burning would not be done in May in a wet season. Bush in the South-West in an ordinary season could not be burnt in May because it would be too wet; but in a dry season it would be necessary to take precautions.

Hon. G. B. WOOD: I support the Minister. The South-West is not the whole of the State. I know of many places where it is highly dangerous to burn at the beginning of May and it is up to people to give notice of their intention.

Hon. H. L. ROCHE: The Committee should insist on the amendment. There are portions of the extreme South-West where the making of an open season at the end of May will tend to bring this legislation into ridicule. As Mr. Craig has pointed out, the penalties and provisions for safeguarding anyone who suffers through a fire getting out of control remain. In a normal season the question of a fire in the bush in May over a great deal of the country west of the Great Southern is almost absurd.

The Honorary Minister: Except in a dry year.

Hon. H. L. ROCHE: For half a century I do not think there has been a year like the last one in those areas. Burning in May is too late in some instances, but an attempt is being made to have it done in June.

The Honorary Minister: No, May.

Hon. H. L. ROCHE: The end of May. Unless under the provisions of the Act you are going to the trouble outlined by Mr.

Craig, the position will be that a premium will be placed on the activities of people who start a fire without anyone knowing where it started. The Committee should keep in mind that this is experimental legislation. The original Act has not been tried out properly. These provisions should not be made too stringent otherwise there will be a whole crop of trouble which the legislation was intended to avert.

Hon. G. B. WOOD: I do not think Mr. Roche understands what we are arguing about. The amendment does not provide for an extension of the burning season but for the giving of notice. If this sort of thing goes on we shall have to divide the State into two parts.

Hon. L. Craig: Why not?

Hon. W. J. MANN: The suggestion just made by the hon. member was suggested previously. What is suitable for one district is often totally unsuitable for another. I saw a graph in the Forests Department dealing with zoning that had been carried out and country within 20 miles of Perth was shown in the same zone as Karridale. From a bush fire point of view that is absurd. This amendment should be insisted on in the interests of people referred to by Mr. Roche.

The HONORARY MINISTER: Members should realise that in some parts of the State rain does not fall until the end of May. This paragraph deals only with the giving of notice.

Question put and a division taken with the following result:—

Ayes	..	..	..	..	12
Noes	..	..	..	..	7
					—
Majority for	..			..	5
					—

AYES.

Hon. C. F. Baxter	Hon. E. M. Heenan
Hon. Sir Hat Colebatch	Hon. J. J. Holmes
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. G. W. Miles
Hon. E. H. Gray	Hon. A. Thomson
Hon. W. R. Hall	Hon. G. B. Wood

(Teller.)

NOES.

Hon. J. Cornell	Hon. H. S. W. Parker
Hon. L. Craig	Hon. H. L. Roche
Hon. V. Hamersley	Hon. W. J. Mann
Hon. J. M. Macfarlane	

(Teller.)

Question put and passed; the Council's amendment not insisted on.

[Hon. G. Fraser took the Chair.]

No. 4. Clause 7—Delete paragraph (e)

The CHAIRMAN: The Assembly's reason for disagreeing is—

This addendum does not give any new rights to the local authority or the Forests Department, but only makes sure that existing rights already held by them under common law or other statutes are retained.

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

The amendment will make the position more certain.

Question put and passed; the Council's amendment not insisted on.

No. 5. Clause 8—Delete the words "thirty-first day of May" in lines 2 and 3, page 6, and substitute the words "thirtieth day of April."

The CHAIRMAN: The Assembly's reason for disagreeing is—

The extra month would be desirable in dry years, particularly in certain districts.

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

Hon. W. J. MANN: This refers to the cleaning of fire boxes of producer-gas vehicles, and we do not know what might happen unless stringent precautions are taken. This is a matter that affects our friends in the dry areas.

Hon. G. B. WOOD: I was opposed to the Council's amendment and I hope it will not be insisted on.

Question put and passed; the Council's amendment not insisted on.

No. 6. Clause 9—Delete the words "thirty-first day of May" in lines 27 and 28, page 6, and substitute the words "thirtieth day of April."

No. 7. Clause 11—Delete the words "thirty-first day of May" in lines 17 and 18, page 7, and substitute the words "thirtieth day of April."

On motions by the Honorary Minister, the foregoing amendments were not insisted on.

No. 8. Clause 11—Delete paragraph (b) of proposed new Subsection (1) of Section 14.

The **CHAIRMAN**: The Assembly's reason for disagreeing is—

The striking out of this provision will prohibit garden or orchard refuse or other light litter being burned during the prohibited time.

The **HONORARY MINISTER**: I move—
That the amendment be not insisted on.

Hon. H. S. W. PARKER: We should insist upon this amendment. Apparently another place has not realised the importance of this provision, which will affect every backyard in the State. No person in a country town will be allowed to light a fire anywhere in his yard.

Hon. G. B. WOOD: I also favour a similar course being adopted. Orchardists are amazed that they should be called upon to put up some stone or iron place in which to burn rubbish that has accumulated on their properties.

Hon. J. CORNELL: I am of the same opinion. If this provision became law, I would be unable to burn rubbish in my own backyard, because it would not be wide enough to comply with the dimensions set out in the Bill.

Hon. W. J. MANN: The portion of Clause 11 under discussion sets a premium on law-breaking. Few people would find sufficient space on their properties in which to comply with the requirements of the Bill. It would be absurd that people with small gardens should not be allowed to get rid of their rubbish in the ordinary way.

Hon. J. M. MACFARLANE: From the point of view of citrus-growers in particular, it would be wrong if we did not insist upon this amendment.

The **HONORARY MINISTER**: I point out that if this amendment is enforced, no person will be allowed to light a fire within the prohibited area without incurring a penalty for so doing.

Question put and negatived; the Council's amendment insisted on.

No. 9. Clause 11—Delete paragraph (c) of proposed new Subsection (1) of Section 14.

The **CHAIRMAN**: The Assembly's reason for disagreeing is—

The deletion of this paragraph will render it necessary to comply with all the conditions under Section 10 of the Act. These conditions will be more onerous, and include the provision of a 10ft. break.

The **HONORARY MINISTER**: I move—
That the amendment be not insisted on.

Question put and passed; the Council's amendment not insisted on.

No. 10. Clause 11—In paragraph (d), on page 8: Delete the word "and" after the word "feet" in line 15, and substitute the word "or."

The **CHAIRMAN**: The Assembly's reason for disagreeing is—

A break of 20 feet is the minimum requirement to prevent danger, and in some conditions and at some times further precautions are necessary.

The **HONORARY MINISTER**: I move—
That the amendment be not insisted on.

Hon. G. B. WOOD: I hope this amendment will be insisted on; otherwise great hardship will be imposed upon charcoal-burners. These people will be called upon to clear a space of 300 square feet around their piles of logs, and do other things to the satisfaction of the fire officer.

Question put and negatived; the Council's amendment insisted on.

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—GROWERS CHARGE.

Second Reading.

HON. C. F. BAXTER (East) [11.48] in moving the second reading said: This is a small Bill but a very important one to a section of the community. Its intention is to make available a small sum of money to the farmer out of something he has himself produced. That small sum will only be made available to him after any statutory lien has been satisfied. Objection might be raised to that if Agricultural Bank clients were included, but they will not come within the scope of the Bill. An amendment passed in 1934 puts Agricultural Bank clients out of court in this respect, and they therefore will not be affected. Were they included, the Bill would as a matter of fact be out of order. This measure will not interfere as some persons are afraid it will with the farmer's seasonal credit. All seasonal needs must be satisfied before anything at all is made available to him. The main intention

of the Bill is set forth in Clause 3, namely, to make a small sum available to the man who has produced the wherewithal from the particular property. Two ways of distributing money are provided. One is by 3s. per acre up to 500 acres, and above that area 1s. per acre. Taking an average crop of 400 acres at 3s., the amount, after all, is only £60. The alternative scheme is 4d. per acre on the basis of a ten-bushel crop.

Hon. L. Craig: Why only ten bushels?

Hon. C. F. BAXTER: Because ten bushels is about the State average.

Hon. L. Craig: It is not.

Hon. C. F. BAXTER: I guarantee that ten bushels would be the average for the persons with whom this Bill deals.

Hon. J. Cornell: And ten bushels would be the average for a ten-year period.

Hon. C. F. BAXTER: I think that is right. Fourpence per acre will give the man roughly £66. That money would be available only after statutory liens had been satisfied. Thus lien holders are protected. Some persons say this money should not be available to the farmer. I ask, why should the farmer be the only person to receive no consideration at all? He labours on his property from one end of the year to the other. The present is the eleventh bad year for some farmers. The labourer working for the farmer is provided for all the time. His wages take precedence over liens, and quite rightly. Very few farmers are on the equivalent of the basic wage with all attendant privileges. A railway employee, for example, enjoys privileges in the way of free passes and free transport of goods. The farmer and his wife slave all through the year, and at the end of the season there is not a penny piece for them. The farmer cannot purchase real necessities for want of the wherewithal, which he has no hope of getting. After all, the money produced is the result of the farmer's labour. The farmer's wife is struggling and scraping throughout the 12 months, and resorting to all sorts of expedients to feed and clothe her children and keep the house going; and at the end of the season there is nothing whatever to fall back on for buying a few clothes and having an outing. She cannot even go to the dentist when it is necessary. The position is now highly acute compared with what it was last season, because the Agricultural Bank, badly

and all as some people talk about that institution, allows the farmer to have a few bags of wheat so that he can get a few groceries sometimes. The bank has caused men to be fined and imprisoned, but those were extreme cases. As regards a few bags of wheat the Agricultural Bank and the Associated Banks shut their eyes.

Hon. J. M. Macfarlane: Is there any danger of that being stopped in the future?

Hon. C. F. BAXTER: Yes, because the whole of the wheat outside seed for the farm has to go into the pool. No grocer dare purchase wheat. This is not a State experiment, but something that has been going on for about ten years. In 1930 New South Wales passed an Act having relation to this. It was amended in 1932 and again in 1937. The measure operates very satisfactorily in New South Wales, where of course much more money is available. It provides for the man operating under it in favour of the expenses of harvesting, shearing, and marketing the produce of the farm after the date of the stay order, and for payment of premiums for fire and hay insurance, and moneys advanced for any such purpose after the date of the stay order, together with interest on such advance at the rate of 4 per cent. per annum. Secondly, it provides in favour of the farmer for the purposes of buying clothing, paying medical expenses of himself and family, and otherwise for his personal use and benefit an amount equal to 10 per cent. of so much of the gross proceeds of marketing the produce of the farm grown in the season, or other income of the farmer not exceeding £500; also 5 per cent. of so much of the proceeds as exceeds £500 but does not exceed £1,000; and 2½ per cent. of the balance of such gross income. That is much more generous than what the Bill before the House requests. However, the measure does give the farmer something. The New South Wales Act has been in existence for a period of ten years. There is a precedent for this legislation, and past experience indicates the necessity for a Bill of this description. It will operate only as regards wheat and oats.

Hon. J. J. Holmes: What will become of two-row barley?

Hon. C. F. BAXTER: No advance is to be made on that. The Bill applies to wheat and oats only. I hope the Bill will reach

the Committee stage, when I will be pleased to give any further information.

Hon. J. J. Holmes: Where will the machinery merchants come in?

Hon. C. F. BAXTER: If advances are made for the season, they will be under a lien.

Hon. J. J. Holmes: That is a separate item altogether.

Hon. C. F. BAXTER: Otherwise they must come in after the allowance per acre or per bushel is provided for. I move—

That the Bill be now read a second time.

Question put and division taken with the following result:—

Ayes	9
Noes	8
Majority for	1

AYES.

Hon. C. F. Baxter
Hon. J. Cornell
Hon. J. M. Drew
Hon. V. Hamersley
Hon. E. M. Heenan

Hon. W. J. Mann
Hon. A. Thomson
Hon. G. B. Wood
Hon. H. L. Roche
(Teller.)

NOES.

Hon. Sir Hal Colebatch
Hon. L. Craig
Hon. G. Fraser
Hon. J. J. Holmes

Hon. W. H. Kitson
Hon. J. M. Macfarlane
Hon. J. Nicholson
Hon. H. S. W. Parker
(Teller.)

PAIRS.

AYES.

Hon. E. H. H. Hall
Hon. T. Moore
Hon. H. V. Plesse

NOES.

Hon. C. B. Williams
Hon. G. W. Miles
Hon. L. B. Bolton

Question thus passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; Hon. C. F. Baxter in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Subject to priorities charge created in favour of grower of certain crops:

Hon. L. CRAIG: I am amazed that a Bill of this importance should come before members on the last day of the session.

Hon. A. Thomson: That is not our fault.

Hon. L. CRAIG: The Bill is most complicated and not a third of the members know anything about its provisions or understands what they mean.

The CHAIRMAN: Order! The hon. member must not reflect upon other members of the Committee.

Hon. L. CRAIG: I am only guessing. This Bill provides, first of all, that Agri-

cultural Bank clients shall have preference over clients of private institutions. One can imagine what farmers who are not clients of the Agricultural Bank will have to say about the Bill. That is one objection.

The CHAIRMAN: Order! That was stated on the second reading.

Hon. L. CRAIG: I was caught on the hop then.

The CHAIRMAN: Order! There is no reference to the Agricultural Bank in Clause 3.

Hon. L. CRAIG: The Committee ought to know that this measure does not apply to all farmers, but only to a section of the farmers.

The CHAIRMAN: That was clearly stated by the mover on the second reading, to which the House agreed.

Hon. L. CRAIG: The Bill is a dangerous one. I ask the Committee to consider what will happen under it to sellers of machinery under hire purchase agreement.

Hon. C. F. Baxter: I remind the hon. member that Clause 3 is the question before the Committee.

The CHAIRMAN: I remind Mr. Craig that the mover dealt with the point he has just raised.

Hon. L. CRAIG: I oppose the clause.

Hon. J. J. HOLMES: The clause is most dangerous, because it will divide the farmers into two classes, farmers who are clients of the Agricultural Bank and who must hand over all their proceeds; and farmers who are not clients of the Agricultural Bank and who will be allowed to retain part of their production. I can imagine what an Agricultural Bank client on one side of the road would say, after handing over all his proceeds, upon learning that his neighbour on the other side of the road was allowed to retain a quarter of his production. That would have the effect of creating a desire on the part of Agricultural Bank clients to help themselves. For that reason I oppose the clause.

Hon. J. NICHOLSON: I ask the hon. member sponsoring this Bill to explain the word "grower." He has not ventured to do so yet, and I do not know whether he intends to do so.

Hon. C. F. Baxter: What does the Bill refer to?

Hon. H. S. W. Parker: God knows!

The CHAIRMAN: Order!

Hon. J. NICHOLSON: If the mover desires to make the Bill effective, he must define "grower." However, that is his business.

Hon. A. Thomson: Does not "grower" mean a man growing wheat?

Hon. J. NICHOLSON: It may mean half-a-dozen things.

Hon. A. Thomson: Commonsense dictates that "grower" means grower of wheat.

Hon. J. NICHOLSON: Commonsense has nothing to do with the matter. The Bill shows evidence of very little commonsense.

The CHAIRMAN: Order! I remind Mr. Nicholson that if he desires the term "grower" to be defined, he can move to add a subclause to Clause 3.

Hon. J. NICHOLSON: I am not going to move the definition. I would not be fool enough to frame such a monstrous Bill as this, the effect of which will be to injure the credit of the farming community.

The CHAIRMAN: Order! The hon. member must not reflect on another place, or on a member of another place.

Hon. J. NICHOLSON: I am not reflecting on any member. I am reflecting on the Bill.

The CHAIRMAN: The hon. member said he would not be such a fool as to frame a Bill such as this.

Hon. J. NICHOLSON: I did not say that the Bill was drawn by a member. The person who drafted it is not entitled to much credit. The Bill does not give evidence of much thought for those engaged in our farming industry. The least farmers can expect is that their credit will be affected by the measure. I ask members to reflect for a moment on the result of this measure, if it becomes law. In that case, a farmer who desires to obtain monetary assistance on the security of his crops and who applies to a financial institution other than the Agricultural Bank will be politely refused.

Hon. H. S. W. Parker: That has been taking place for a long time.

Hon. J. NICHOLSON: The hon. member is wrong in making that statement. I do not know what the measure will lead to, except the destruction of the industry. It is a calamity that a Bill of this nature should come before the House at practically the twelfth hour, when so few members are in attendance to give it consideration.

Members who support the measure will regret their action in the near future if the Bill passes.

Hon. G. B. WOOD: I take strong exception to the remarks of the two previous speakers. Our friend from St. George's Terrace apparently did not wake up until after the second reading was passed. I suggest that was the time when the two hon. members should have voiced their objections to the Bill, so that the mover might have had a chance to reply. I take particular exception to Mr. Nicholson's complaint about the Bill having been introduced at this late hour. That was not the fault of the mover, as Mr. Nicholson knows full well.

Hon. C. F. BAXTER: It is regrettable that both Mr. Craig and Mr. Nicholson should speak so seriously about the lateness of the hour, because those in charge of the Bill are in no way responsible for its late introduction into this Chamber. The second reading of this Bill was moved in another place on the 25th September last, and the Bill arrived here last night. The Chief Secretary has done his best to keep the business going between the two Houses.

Hon. G. B. Wood: Who is responsible for the delay?

Hon. C. F. BAXTER: I am not blaming anyone for the delay. The Chief Secretary has done his best.

Hon. L. Craig: What member of this Chamber has had an opportunity to study the Bill?

Hon. C. F. BAXTER: I explained the Bill on the second reading. As I said, it is regrettable that both Mr. Craig and Mr. Nicholson should be so severe in their remarks. It was not very nice for a member of the legal profession to make remarks about the work of another member of the same profession.

Hon. H. S. W. Parker: On a point of order. Is that before the Chair?

The CHAIRMAN: References have been made to the matter. The draftsman was called a fool by one hon. member.

Hon. H. S. W. Parker: If that is the question before the Chair, I would like to debate it.

Hon. C. F. BAXTER: It was very unfair for a member of the legal fraternity to pass remarks about another member of his

own profession who was not here to defend himself. It would be pleasing to me if I could think Mr. Parker was able to draft as good a Bill. In reply to Mr. Nicholson's query, the definition of "crops" is given as "wheat or oats marketed for grain." If Mr. Nicholson will read paragraph (ii) of Clause 3, he will find the words "at the option (to be exercised in the prescribed manner) of the grower of such crops 4d. for every bushel of grain marketed therefrom." That is to say, a charge of 4d. a bushel from the proceeds of the crops may be created in favour of a grower. What crops could be meant other than those in the definition of "crops?" Is there need for any further definition? Surely the one given is clear enough.

Hon. Sir HAL COLEBATCH: I would like Mr. Baxter to inform me whether this statement I have in my hand represents the position—

Under Section 14 of Statutory Rules 1939, No. 96, being "Regulations relating to the acquisition of Wheat," it was gazetted that any wheat described in the Commonwealth Order should become "the absolute property of the Commonwealth, freed from all mortgages, charges, liens, pledges, interests and trusts affecting that wheat, and the rights and interests of every person in that wheat (including any rights or interests arising in respect of any money advances in respect of that wheat) are hereby converted into claims for compensation." It appears, therefore that wheat, once it is harvested, becomes the property of the Commonwealth Government, and Bill of Sale holders can only claim for compensation and support such claim with their registered security.

When the Wheat Acquisition Act came into being in 1939 it was necessary for a deputation of merchants to meet the local representative of the Australian Wheat Board to obtain from him a definite undertaking that the Commonwealth Government would recognise merchants' crop liens as a first charge.

As you are aware, this is the only State where merchants supply goods under Bill of Sale security, and this matter had to be placed before Canberra. Owing to this being the custom of trade in this State it was agreed to, and last season merchants collected their advances through the Australian Wheat Board under the same conditions that have always operated. It is understood that a similar action is being taken by the Commonwealth regarding this season's crop.

It would appear, therefore, that local legislation has not the power to put aside Commonwealth legislation.

I would like Mr. Baxter to explain that.

Hon. C. F. BAXTER: During my second reading speech, I said that farmers can no longer dispose of a few bags of wheat for cash, because wheat has been taken over by the Commonwealth. It was hard to follow all that Sir Hal read; that was the first I had heard of the matter. But the position is that lienees are still protected and will be under this Bill which will not apply until the harvest of 1941. The Bill has nothing to do with this harvest. Any arrangements made for the coming crop will be made on the basis of this Bill when it becomes an Act, but liens, which are more general in this State than in any other State, are protected under the Bill. The lienees will be provided for before the farmer receives anything at all.

Hon. Sir Hal Colebatch: How would you get on when the Commonwealth took the wheat?

Hon. C. F. BAXTER: The Commonwealth does take over the wheat, but it makes money available in return. From that money the claims of a lienee are satisfied before anything is made available to the farmer.

Hon. G. B. WOOD: The fact that the Commonwealth acquires the farmer's wheat simplifies the operation of the Bill. Every pound advanced goes through a bank. The wheat is the property of the Commonwealth Government but not the money paid in advances. That goes through the bank and becomes the property of the mortgagee or the lienee.

Hon. Sir Hal COLEBATCH: Is there any foundation for the belief that this legislation will force merchants to refrain from supplying seasonal requirements to farmers?

Hon. C. F. BAXTER: I can assure Sir Hal that if that were the case I would not have sponsored the Bill. It is very important to the farmer to have provision made for carrying on the season's operations.

Hon. Sir Hal Colebatch: What about the merchants supplying under hire-purchase agreement?

Hon. C. F. BAXTER: They would not have their demands satisfied until there had been a distribution to the farmer.

Hon. Sir Hal Colebatch: Is that not likely to discourage them?

Hon. C. F. BAXTER: Not in view of the small amount of 3s. per acre or 4d. per bushel to be allotted to the farmer.

Hon. A. THOMSON: I regret that the bogey of farmers' credit is being introduced. The charge would represent £75 on the 3s. an acre basis, or £83 on the 4d. a bushel basis. Surely the man growing the crop is entitled to some portion to enable him to buy sustenance for himself and his family, and to have an occasional shilling in his pocket. Reference has been made to agricultural machinery, but in most cases that is not supplied unless half the purchase price is paid in cash. The farmers themselves are prepared to accept the risk of their credit being affected by this measure.

Hon. H. S. W. PARKER: What is the meaning of the words "to be exercised in the prescribed manner"?

Hon. C. F. Baxter: That is provision for making regulations.

The CHAIRMAN: It is covered by the Interpretation Act.

The CHIEF SECRETARY: I am wondering whether the clause will give the farmers the advantage that is claimed. No farmer will be entitled to anything at all, according to my reading of the clause, unless the proceeds of his crop are subject to a bill of sale. That would mean additional expense to the farmer.

Hon. C. F. Baxter: He would not need a bill of sale.

The CHIEF SECRETARY: The clause begins "Whenever crops are subject to a bill of sale." Therefore the clause will not apply to crops not subject to a bill of sale.

Hon. G. B. Wood: If there is no bill of sale, the farmer will not need this money.

The CHIEF SECRETARY: Suppose the farmer obtains the money, will the amount be taken into consideration by the people who have to find further advances for him?

Hon. C. F. Baxter: Certainly.

The CHIEF SECRETARY: Then what benefit will this money be to the farmer? When the wheat bounty was paid, experience showed conclusively that whatever the amount the farmer received by way of bounty, it was taken into consideration when determining the advance for the following season. If the farmer under this measure secures something in the first season, that will be the end of the benefit, and I imagine that he will be in a worse position in the second year than he was before receiving the money. If I understood Mr. Baxter aright, this arrangement will be very similar to the one in New South Wales.

Hon. C. F. Baxter: No, I said the Bill has a similar purpose.

The CHIEF SECRETARY: I am told that in New South Wales provisions of this kind apply only to certain farmers who are under the control of supervisors. Those supervisors have to determine the amount to be provided for the farmer, and the proportion, if any, of the debt owing by the farmer for the season's cropping that shall be paid. Certain firms have been providing money to enable the farmer to carry on his operations. I am afraid when they discover that the farmer is receiving this financial assistance, it will be taken into consideration in the second year and the man will get practically nothing from the firms. Under this Bill no farmer who was prepared to allow a bill of sale to be taken over the proceeds of his crop, would be entitled to any money.

Hon. C. F. BAXTER: That is not so. The Bill will not apply to any case where there is no bill of sale, but it will apply to the man who is tied down and can get money from no other source.

The Chief Secretary: How can you put that construction on the clause?

Hon. C. F. BAXTER: This provision will apply in cases where a bill of sale has been taken over the crop. The man whose property is unencumbered can do what he likes.

Hon. G. B. WOOD: The charge in favour of the grower is subject to certain conditions, and will rank immediately after any other statutory charge, such as a hire-purchase agreement.

Hon. J. Nicholson: Not at all.

Hon. G. B. WOOD: I have been told by a legal authority that that would be so.

Hon. E. M. HEENAN: The farmer who has no bill of sale over his crop will keep all the proceeds. The Bill will not apply to him. In the case of the man who has given a bill of sale over his crop, it is not unreasonable that he should receive the modest sum of 3s. per acre.

Hon. L. Craig: Or up to 10s. or 12s.

Hon. E. M. HEENAN: On a 1,000-acre crop he would receive only £100. I fail to see that the provision would place the creditors in a dangerous position.

Hon. Sir HAL COLEBATCH: The purpose of the Bill is to hand to the farmer a certain sum which, without the passage of this measure, would go to his creditors.

Hon. C. F. Baxter: That is so.

Hon. Sir HAL COLEBATCH: In the long run that may work detrimentally to the farmer. In any event, the amount of money he would be allowed to retain should be limited. Under Subclause 1 he would be entitled to 3s. per acre, which on 500 acres would come to £75. He would, however, have the option of accepting 4d. for every bushel of grain marketed. He might plant 1,000 acres and get a 20-bushel crop. Under the second provision of the clause he would be entitled to retain £333, money which would otherwise go to his creditors.

Hon. C. F. Baxter: The average area planted would not exceed 400 acres.

Hon. Sir HAL COLEBATCH: On the basis of a 20-bushel crop the farmer would receive much more by taking 4d. a bushel than he would by taking 3s. per acre.

Hon. C. F. Baxter: Such farmers would not get anything like 20 bushels to the acre.

Hon. Sir HAL COLEBATCH: Is it contemplated that this measure is only for the assistance of bad farmers, or those who are settled on land that is not reasonably productive? If the clause is passed, the second portion should be struck out.

Hon. J. NICHOLSON: More light is thrown on this subject as the discussion proceeds. Now it should begin to dawn on the Committee that greater opportunities ought to have been afforded members to study the Bill and consider its effects. The Chief Secretary is perfectly right in drawing attention to the introductory words of the clause. Naturally, the provisions giving certain rights will apply only when crops are subject to bills of sale. One sees an anomalous position arise; in fact, a position somewhat analogous to putting the cart before the horse. Supporters of the Bill should think the matter over in this light: A bill of sale is granted by the farmer over the crop to someone or other. The farmer gives the security of the crop to the person who is advancing him money. But the Bill seeks to give back to the man who gives the bill of sale by way of security a right over the very security which he has granted to the man who has advanced the money. That is what it means.

Hon. A. Thomson: Only legally.

Hon. J. NICHOLSON: The man will get a means of living if he harvests a good crop. Then he will pay back the amount he has borrowed out of the security which he has granted by the bill of sale, and will receive the whole of the surplus money.

Hon. J. M. Macfarlane: What if there is a loss?

Hon. J. NICHOLSON: I am glad of that interjection. Now comes an interesting phase. The farmer is entitled by the first paragraph of the clause to 3s. per acre in respect of so much of the area sown—

Hon. J. J. Holmes: It does not matter how he sows it.

Hon. J. NICHOLSON: No. It does not say that the 3s. per acre shall come out of the proceeds of the crop, but out of the area sown—a totally different thing. Heaven knows where the farmer is to get 3s. from out of the area sown. If it is to come out of the proceeds of the crop and there is not sufficient realised from the crop to pay back the man who has advanced the money, then I ask who is going to advance a single penny-piece on crops? If the farmer sows his crop well, he will get his 3s. out of the total proceeds; but the idea apparently is that he should receive this money whether any proceeds are received or not.

Hon. E. M. Heenan: It is to be a charge. It is not irrespective of what is produced.

Hon. J. NICHOLSON: The charge is what the man is entitled to receive.

Hon. E. M. Heenan: If the money is available.

Hon. J. NICHOLSON: I can conceive an interesting crop of legal suits from such a provision. What I am most concerned about is that the farmer's credit will be destroyed, because nobody will advance anything whatever on the security of crops. We know the present difficulty in obtaining money for anything whatever. This provision will intensify the difficulty manifold, and will, I firmly believe, ruin the farmer's credit. The hon. member responsible for the Bill should reconsider it in the interests of the farming community.

The CHAIRMAN: The clause has been debated for an hour without any attempt being made to amend it. The clause is the Bill.

Hon. H. S. W. PARKER: I move an amendment—

That in line 1 the word "crops" be struck out.

I am in a difficulty about determining the proper word to use in lieu of "crops." The Bill deals only with a crop after it has ceased to be a crop and has been marketed. What does "marketed" mean?

The Chief Secretary: That means wheat that has left the farm.

Hon. H. S. W. PARKER: It has to be sold for grain. The Bill applies only to wheat that has left the farm and is marketed.

Hon. G. B. Wood: Not necessarily; it may be stored on account of the acquisition board.

Hon. H. S. W. PARKER: But the Bill says it must be wheat that is marketed.

The Chief Secretary: What do you propose?

Hon. H. S. W. PARKER: I am in a quandary, so I am merely pointing out the position.

The CHIEF SECRETARY: I am afraid I cannot help the hon. member. I am endeavouring to associate his amendment and the point he has raised with the definition of "bill of sale." I find that my original construction was wrong, because the definition provides a much wider meaning to the term than ordinarily applies. Seeing that this relates only to wheat that has left the farm, is it not reasonable to expect that the person who is licensed to take possession of the crop will already have done so?

Hon. H. S. W. Parker: But the Bill does not apply until the wheat is marketed.

The CHIEF SECRETARY: The person may take possession of a standing crop.

The CHAIRMAN: It would be better to deal with the amendment first.

The CHIEF SECRETARY: I want to know what will replace the word to be struck out. I will not agree to the amendment until I know what is to be substituted.

Hon. C. F. BAXTER: Mr. Parker has asked us to agree to an extraordinary proposition. He asks us to accept an amendment without indicating what is to replace the word that is to be struck out.

Hon. H. S. W. Parker: I do not know what word to use.

Amendment put and negatived.

Hon. Sir HAL COLEBATCH: I wish to move an amendment to strike out Subparagraph (ii). The effect may be that if a man has a thousand acres under crop and secures an average 12-bushel crop, he will exercise his second preference in which event he will secure a far greater sum than is justified in preference to that available for his creditors.

Hon. J. J. HOLMES: I wish to deal with Subparagraph (i) in order to get some information.

The CHAIRMAN: Let us dispose of Sir Hal's amendment first. The hon. member can secure the information when the clause, as amended, is put to the Committee.

Hon. J. J. HOLMES: What advantage will that be? The Bill is a mysterious one and I desire to secure more information about it. Very often the farmer's crop fails owing to drought, grasshoppers or some other pest, yet this measure provides that he is to receive 3s. per acre in respect of the area sown. If he has no crop, where is the 3s. per acre to come from?

Hon. J. Nicholson: He has to get it.

Hon. J. J. HOLMES: Yes. It is a charge upon the property.

Hon. Sir HAL COLEBATCH: I move an amendment—

That paragraph (ii) be struck out.

Hon. L. CRAIG: I support the amendment. Whether the crop is big or small, the amount that is to be deducted should be ascertainable.

Hon. H. L. ROCHE: I oppose the amendment. This provision will not unduly prejudice the farmer's credit. A farmer who crops 500 acres, returning 12 bushels—which I think is above the State average—should get a yield of 6,000 bushels. Under this measure he would be entitled to 4d. per bushel, or £100. Is that too much?

Hon. A. Thomson: Oh, yes, far too much! The farmer should not get that!

Hon. H. L. ROCHE: He should not be allowed to live!

The CHAIRMAN: Order!

Hon. H. L. ROCHE: To my mind, that is a fair and reasonable proposition. Farmers live under such conditions as should entitle them to some remuneration for their work. They should not be compelled to go,

cap in hand, to their creditors for some small consideration. Much of the opposition to this clause is for the purpose of defeating the Bill.

The CHAIRMAN: Order! I have allowed the hon. member considerable latitude, but I remind him there is a specific amendment before the Chair.

Hon. H. L. ROCHE: If paragraph (ii) is struck out, we shall go a long way towards destroying the usefulness of the measure. The paragraph represents the minimum of what the farmers have a right to claim as their remuneration for carrying on in the interests of their creditors.

Hon. G. B. WOOD: I can appreciate Sir Hal Colebatch's point of view. He really considers that a farmer who crops 1,000 acres might get too much for himself under this measure; but, on a State average of 12s., the farmer would receive only £200 for a 1,000-acre crop.

Hon. E. M. HEENAN: In order that we may progress, I suggest supporters of the Bill would be well advised to accept the amendment.

Hon. L. CRAIG: A person making an advance on the security of a crop would know, under paragraph (i), what would be deducted from the proceeds; but under paragraph (ii) he would have no idea what would be deducted. Some amount must be set out in the measure, so that the creditor will know what deduction is to be made. I support the amendment, even if it should be necessary to alter the amount mentioned in paragraph (i).

Hon. W. J. MANN: I support the amendment. I voted for the second reading without having had an opportunity to peruse the Bill, my object being to ascertain the effect of the measure. I confess I do not like the Bill very much. There is something in what the previous speaker has said; it is necessary for the creditor to know exactly where he stands.

Amendment put and passed.

Hon. J. NICHOLSON: Paragraph (a) provides that the charge in favour of the grower shall rank immediately after any other statutory charge and any advance for or towards the cost (as ascertained in the prescribed manner) of growing, harvesting and carting such crops. Other things require to be done before the growing of a

crop. For instance, the crop has to be sown before it can grow. I therefore move an amendment—

That in line 4 of paragraph (a) of the proviso the word "of" be struck out and the words "in connection with the sowing, cultivation" inserted in lieu.

The CHAIRMAN: At this late hour I must insist on three copies of amendments being sent up to the Chair. It is not fair to "Hansard" or anyone else for only one copy to be available.

Hon. J. NICHOLSON: If the sponsor of the Bill will leave the matter to a later sitting of the House, we may be able to have amendments placed on the notice paper!

The CHIEF SECRETARY: I am a little puzzled to know the meaning of the words in the proviso "as ascertained in the prescribed manner." This has to deal with advances which are made to a farmer for growing, harvesting and carting his crops. It may be that in some instances the advances are from a storekeeper and would be for the purpose of enabling the farmer to provide food and other requirements for himself and his family. If that is so, a lot will depend on the size of the advances, as to whether the charge the farmer is to have under the Bill would be a reasonable one or not. Are the words to which I have referred intended to include certain things to be provided for in the regulations to be made under the Bill, or are all advances in accordance with the definition of the bill of sale to have the priority this Bill gives them, and is the farmer then to get this particular amount irrespective of other advances made to him?

Hon. C. F. BAXTER: Mr. Nicholson's amendment does not help in the slightest. The Bill covers all operations.

Hon. J. NICHOLSON: Whilst I pay great respect to the views expressed by Mr. Baxter, I suggest that in this instance he is wrong. Growing is not the same as cultivation or sowing. Before a crop can grow it must be sown and there must be cultivation.

Hon. H. S. W. PARKER: You have got to get the seed, too!

The CHAIRMAN: I remind Mr. Nicholson that cultivation comes before sowing.

Hon. G. B. WOOD: We do not object to the words proposed to be inserted but I suggest that Mr. Nicholson does not try to

have any more words added. If we continue inserting unnecessary verbiage, we shall be here till next week.

Amendment put and negatived.

Hon. H. S. W. PARKER: I move an amendment—

That in lines 5 to 8 of paragraph (a) of the proviso the words "registered under the Bills of Sale Act, 1899, and its amendments" be struck out.

I do not know the meaning of these words, seeing that a bill of sale under this Bill is something more than a bill of sale registered under the Act of 1899.

Amendment put and passed; the clause, as amended, agreed to.

Clause 4—agreed to.

Clause 5—Share farmers:

Hon. J. NICHOLSON: It might be stipulated amongst the people interested that the division of the proceeds shall be, not on a legal basis, but on a varying basis. I move an amendment—

That after the word "them" in the last line of paragraph (b) the words "in such shares and proportions as such persons may mutually agree" be inserted.

Amendment put and passed; the clause, as amended, agreed to.

Clause 6—agreed to.

Clause 7—Regulations:

Hon. J. NICHOLSON: Paragraph (a) provides for regulations prescribing penalties not exceeding £50 or imprisonment not exceeding three months for any breach of the regulations. That is an extraordinary provision. Such a breach is usually punishable by a fine of £5. The fine should be reduced accordingly and the provision for imprisonment deleted. I move an amendment—

That the word "fifty" be struck out and the word "five" inserted in lieu.

Hon. J. J. HOLMES: Which Minister is likely to control this legislation?

The Chief Secretary: I do not know anything about it.

Hon. J. J. HOLMES: Who will make the regulations?

The Chief Secretary: The Governor.

Hon. C. F. BAXTER: A fine of £5 would be paltry for a serious breach of the regulations and the higher penalty should be retained.

Amendment put and negatived.

Hon. J. NICHOLSON: Paragraph (d) provides for regulations prescribing the rate of commission or deduction to be allowed to holders of bills of sale as compensation for expenses incurred or services rendered. There is no clause in the Bill dealing with commission or deduction, and therefore there should be no provision for such matters in the regulations. The paragraph is inconsistent with the rest of the Bill and should be deleted. I move an amendment—

That paragraph (d) be struck out.

Hon. L. CRAIG: I cannot understand this extraordinary provision. Is it suggested that holders of bills of sale are going to collect all moneys due to the farmers? By what authority would they do that?

Hon. J. J. HOLMES: By the authority of the Country Party.

Hon. L. CRAIG: I do not understand the paragraph.

Hon. C. F. BAXTER: This provision is inserted as a means of recompensing the lienee who is handling the fund.

Hon. J. NICHOLSON: The Bill says nothing about payment of commission.

Hon. C. F. BAXTER: The lienee cannot be recompensed for his work in any other way than this.

Hon. L. CRAIG: By what authority does the Commonwealth pool pay the money to the lienee?

Hon. C. F. BAXTER: The money first goes to the Wheat Pool and, in these cases, must then go to the farmer through the lienee.

Amendment put and negatived.

Clause put and passed.

Clauses 8, 9, Title—agreed to.

The CHAIRMAN: This Bill has to be put in order by the Clerks, and I have to sign a certificate before it can be read a third time. I will, therefore, leave the Chair for ten minutes.

Sitting suspended from 1.45 to 2.10 a.m.

Bill reported with amendments and the report adopted.

Third Reading.

HON. C. F. BAXTER (East) [2.13]: I move—

That the Bill be now read a third time.

Question put and a division taken with the following result:—

Ayes	..	..	..	11
Noes	..	..	..	8
Majority for	..	..	..	3

AYES.	
Hon. C. F. Baxter	Hon. W. J. Mann
Hon. J. Cornell	Hon. H. L. Roche
Hon. J. M. Drew	Hon. A. Thomson
Hon. G. Fraser	Hon. G. B. Wood
Hon. V. Hamersley	Hon. W. R. Hall
Hon. E. M. Heenan	(Teller.)

NOES.	
Hon. Sir Hal Colebatch	Hon. J. M. Macfarlane
Hon. E. H. Gray	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. H. S. W. Parker
Hon. W. H. Kitson	Hon. L. Craie
	(Teller.)

PAIRS.	
AYES.	NOES.
Hon. T. Moore	Hon. G. W. Miles
Hon. C. B. Williams	Hon. L. B. Bolton

Question thus passed.

Bill read a third time and returned to the Assembly with amendments.

BILL—MONEY LENDERS ACT AMENDMENT.

In Committee—Progress Arrested.

Resumed from the 26th November. Hon. J. Cornell in the Chair; Hon. E. M. Heenan in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 6 had been negatived.

Title:

The CHAIRMAN: The question is that the Title be agreed to.

Hon. C. F. BAXTER: This Bill was under consideration by the House some time ago; and, as a result, there is practically nothing of the Bill left. I observe that there is an amendment on the notice paper.

The CHAIRMAN: Order! The hon. member may not discuss at this stage what is on the notice paper.

Hon. C. F. BAXTER: This measure should not have been introduced by a private member, but by the Government. I move—

That the Chairman do now leave the Chair.

Motion put and a division taken with the following result:—

Ayes	..	..	..	11
Noes	..	..	..	8
Majority for	..	..	..	3

AYES.	
Hon. C. F. Baxter	Hon. W. J. Mann
Hon. Sir Hal Colebatch	Hon. J. Nicholson
Hon. L. Craie	Hon. H. S. W. Parker
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. J. Holmes	Hon. G. W. Miles
Hon. J. M. Macfarlane	(Teller.)

NOES.	
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. H. L. Roche
Hon. E. H. Gray	Hon. G. B. Wood
Hon. E. M. Heenan	Hon. W. R. Hall
	(Teller.)

Motion thus passed.

The Chairman accordingly left the Chair and the Bill lapsed.

DISCHARGE OF ORDER.

On motion by the Chief Secretary, the Main Roads Act Amendment Bill was discharged from the notice paper.

BILL—EMPLOYMENT BROKERS ACT AMENDMENT.

In Committee—Progress Arrested.

Resumed from the 3rd December. Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 8, "Books kept and letters, etc., sent to or by brokers to be retained for six months," had been partly considered.

Hon. J. J. HOLMES: When this Bill was before us on a previous occasion, amendments were made rendering the Bill practically unworkable. In order to facilitate business and to dispose of a Bill which in my opinion is no good, I move—

That the Chairman do now leave the Chair.

Motion put and a division taken with the following result:—

Ayes	12
Noes	6

Majority for	6
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AYES.	
Hon. C. F. Baxter	Hon. W. J. Mann
Hon. Sir Hal Colebatch	Hon. G. W. Miles
Hon. L. Craie	Hon. J. Nicholson
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. J. Holmes	Hon. G. B. Wood
Hon. J. M. Macfarlane	Hon. H. S. W. Parker
	(Teller.)

NOES.	
Hon. J. M. Drew	Hon. W. R. Hall
Hon. G. Fraser	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. E. M. Heenan
	(Teller.)

PAIRS.	
AYES.	NOES.
Hon. L. B. Bolton	Hon. T. Moore
Hon. H. Tuckey	Hon. C. B. Williams

Motion thus passed.

The Chairman accordingly left the Chair and the Bill lapsed.

Sitting suspended from 2.30 to 2.40 a.m.

BILL—BUSH FIRES ACT AMENDMENT.

Assembly's Further Message.

Message from the Assembly received and read notifying that it no longer disagreed to the amendments on which the Council had insisted.

BILL—GROWERS CHARGE.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

COMPLIMENTARY REMARKS.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [2.41]: It is now my privilege to convey to you, Mr. President, on behalf of members and my own behalf our best wishes for the coming seasonal holidays. I desire to thank you for your kindness and courtesy, and for the tactful way in which you have dealt with the business before the House. In presiding over our deliberations you have upheld the dignity of your high office and maintained the harmony of the Chamber. Your impartiality towards the views of members is a characteristic which we have all grown to recognise and appreciate over the many years during which you have occupied the Presidency. I desire to express our thanks and appreciation to the Chairman of Committees and his deputies for the unremitting consideration and zeal they have shown in their attention to the Committee work during the session. I also express thanks and appreciation to the Clerk of Parliaments and the Usher of the Black Rod for the efficient manner in which they have carried out their duties, for their attention thereto, and the valuable assistance they have at all times rendered to members.

We are grateful to the other members of the staff who have always shown their willingness to assist. I must express to the Chief "Hansard" Reporter and his staff our appreciation of the capable manner in which they have carried out their duties. They are what may be called silent members of this House.

Hon. G. W. Miles: And very useful members.

THE CHIEF SECRETARY: Yes. They are entitled to all the appreciation it is possible for us to extend to them. To all we wish the compliments of the season. On my own behalf I wish to express my appreciation for the consideration, attention and assistance given to me by all members. The session has not been as strenuous as usual, nor has it been marked by any great degree of contention. There have been differences of opinion, but no signs of serious contention in any of the debates. I can only express the wish that the manner in which the various debates have been conducted this session will be characteristic of those to follow. It seems that members have been actuated by a desire to help, and I hope that spirit will continue. The session usually closes at a time when our thoughts have regard for the festivities and goodwill associated with the Christmas season. It is regrettable that on this occasion these factors are overshadowed by the tragedy of war on a scale that will leave none of us untouched. Whilst expressing to all my best wishes for the New Year, I sincerely trust that the efforts of the Empire in the New Year will meet with success that will ensure our ultimate victory and lasting peace. I extend to all the compliments of the season.

HON. C. F. BAXTER (East) [2.45]: I join with the Chief Secretary in expressing appreciation of the able and kindly manner in which you, Mr. President, have presided over our deliberations. The sessions are building up and your term of office has been a substantial one. It is pleasing to know that each session we have a President in whom we possess full confidence, and by whom the work associated with the office is carried out so ably. To the Chairman of Committees I express my personal thanks for many favours granted to me during the session, as well as for his kindly advice and the energetic and able manner in which he

has conducted the Committee work. The same thing may be said of his deputies, although they have not been called upon to take much of the burden from his shoulders. Again I express my appreciation of the capable work performed by the "Hansard" staff. It is pleasing indeed to find that one has to make very little scrutiny of the copies of one's speeches. Many of my own speeches I have scarcely had occasion to alter at all. Because of my manner of speaking that is, I think, the best tribute I could pay to the Chief "Hansard" Reporter and his staff. To the Clerk of Parliaments, I extend my sincere thanks. He has helped me as well as other members, and has proved himself a very energetic and able officer. Because of his training he has been able to render wonderful service to us. He is ever ready to assist in any way he can. The Usher of the Black Rod has carried out his duties in the same diligent and able manner that has been evidenced in the past. I also thank our messenger who has replaced Mr. Roberts, now abroad on service. We are pleased to hear of Mr. Roberts and to know that he is getting on well. I have no doubt that he will make his mark. We are fortunate to have Mr. Power to fill the position during his absence. He is yet a young man, but judging from his work and the capable manner in which he carries it out, I think that good things lie ahead of him. To members generally I desire to extend good wishes for the coming season, and hope that the blackness ahead of us will soon reveal something that is less dark than it is at present. I hope that all members enjoy the Christmas season and have good health. The Leader of the House and his colleagues have done excellent service during the session. There have been very few brushes, and the relationship between Ministers and members has been most pleasant. We have not had to deal with some of the extraordinary pieces of legislation that have come down to us on other occasions. Let us hope that things will brighten from every standpoint, and that we shall be able to look forward to an era of peace, prosperity and happiness.

HON. V. HAMERSLEY (East) [2.50]: As one of the oldest members of this Chamber, I desire to congratulate you, Mr. President, upon the manner in which the session

has progressed. Our thanks are due to you, the Leader of the House, the Honorary Minister, and also to the Chairman of Committees, for the admirable way in which the business of the House has been conducted by you and them. All have done their best to assist every member of the House, no matter what his requirements have been during the session. What is remarkable is that in all my years of experience in this Chamber, we have not until now come to the closing stages of a session without having conferences of managers to deal with various Bills. There is an absence of frayed edges on the part of members this year; it is gratifying to think that members have been able to get on so amicably together. We all feel that we have furthered the affairs of the State without falling out too seriously with one another. I sincerely hope that all members of the House and you, Sir, will have a happy Christmas and a prosperous New Year. To the staff and "Hansard," and all others who have played their part, I sincerely express my thanks. I trust we will soon receive favourable reports of the health of those members whom sickness has kept away from the House during the late stages of the session. I express the wish that they will soon be restored to health. I also thank members for the kind and generous way in which they have treated me during the session.

HON. J. CORNELL (South) [2.53]: On behalf of myself and my sergeant-majors, I thank the Chief Secretary for the kindly references he has made to the Chairman of Committees. I also thank him and his worthy adjutant, the Honorary Minister, for the consideration which they have extended to myself and the Deputy Chairmen. I desire also, Mr. President, to express my appreciation of your kindly consideration and courtesy. Our association has been a long one, and never once have we had a disagreement.

I join in the general thanks tendered to the clerks and the staff right down to the messenger boys, and also to "Hansard." Both branches of the Legislature are singularly fortunate not only in their officers but in the staff generally for the courtesy and consideration extended. While we praise those who are present we should not be unkind to the absent ones. I am sure that hon. members will be prepared to join me

in conveying congratulations to our Clerk of Records, "Johnnie" Roberts, who is on active service. Mr. Roberts gave up his commission in the Citizen Forces and went away with the signallers as a sergeant, subsequently winning a commission in the place where commissions are really won, namely, on active service abroad.

This has been a harmonious session; in fact, to me it hardly appears to have been a session at all. I cannot recollect any other session when we have not had conferences between managers of the two Houses. My colleagues have not risen to make such remarks as "The managers met in conference and failed to agree." They have not had an opportunity to do so on this occasion, and that is why this does not appear to have been a real session at all.

In conclusion, I hope that when members of this Chamber re-assemble it will be under happier auspices and with the knowledge that the British Empire, of which we are subjects and citizens, has emerged victorious from the gigantic struggle in which it is engaged.

THE PRESIDENT [2.57]: I feel grateful to the Chief Secretary, Mr. Baxter, Mr. Hamersley and Mr. Cornell for their extremely kind references to myself and to my endeavours to carry out my duties faithfully. I am particularly grateful to all honourable members for the great courtesy and consideration they have extended to me during this and previous sessions since I have been President. But for that consideration and courtesy and the allowances they have been ever ready to make for me I would not have achieved whatever success has been mine.

I would also like to support what has been said by Mr. Cornell concerning the officers of this House. We are indeed fortunate in them. To carry out the duties associated with the work of this Chamber calls for constant attention and continual vigilance, for much more care and watchfulness than probably the majority of hon. members realise. When errors are avoided and the House runs on smooth lines the work seems to be simple, but mistakes can very easily be made. I am not, however, aware that any errors have been made by our officers this session nor am I conscious of their having in any way neglected any of the duties they are

supposed to carry out. I can say regarding the session that it has been similar to other sessions inasmuch as members of this Chamber can differ and differ strongly, but those differences are quite apart from personalities and we can differ without quarrelling. The Chief Secretary pointed out that the session has been altogether free from those conferences that usually take place, but in other respects the session has been marked by an almost total absence of anything in the nature of party feeling. That is due to the terrible struggle for existence in which the whole Empire is engaged. I would like once again to express my gratitude to hon. members of this House, to the Chairman of Committees for the great assistance he has ever been ready to extend to me, to the Deputy Chairmen of Committees, to the officers of the House, and to the gentlemen of the "Hansard" staff, all of whom are associated with the work of this Chamber. To them I wish the compliments of the season and hope the New Year will be brightened by the conclusion of a victorious peace.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [3.1]: I move—

That the House at its rising adjourn to a date to be fixed by the President.

Question put and passed.

House adjourned at 3.2 a.m. (Friday).